

House File 667

HOUSE FILE _____
BY COMMITTEE ON APPROPRIATIONS
(SUCCESSOR TO HSB 309)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations for health and human
2 services to the department of elder affairs, the Iowa
3 department of public health, the department of inspections and
4 appeals, the department of human services, and the commission
5 of veterans affairs, and providing effective dates.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 1124HV 80
8 pf/cf/24

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1 1 DIVISION I
1 2 ELDER AFFAIRS
1 3 Section 1. DEPARTMENT OF ELDER AFFAIRS. There is
1 4 appropriated from the general fund of the state to the
1 5 department of elder affairs for the fiscal year beginning July
1 6 1, 2003, and ending June 30, 2004, the following amount, or so
1 7 much thereof as is necessary, to be used for the purposes
1 8 designated:
1 9 For aging programs for the department of elder affairs and
1 10 area agencies on aging to provide citizens of Iowa who are 60
1 11 years of age and older with case management for the frail
1 12 elderly, the retired and senior volunteer program, resident
1 13 advocate committee coordination, employment, and other
1 14 services which may include, but are not limited to, adult day
1 15 services, respite care, chore services, telephone reassurance,
1 16 information and assistance, and home repair services,
1 17 including the winterizing of homes, and for the construction
1 18 of entrance ramps which make residences accessible to the
1 19 physically handicapped, and for salaries, support,
1 20 administration, maintenance, miscellaneous purposes, and for
1 21 not more than the following full-time equivalent positions
1 22 with the department of elder affairs:
1 23 \$ 2,653,222
1 24 FTEs 25.50
1 25 1. Funds appropriated in this section may be used to
1 26 supplement federal funds under federal regulations. To
1 27 receive funds appropriated in this section, a local area
1 28 agency on aging shall match the funds with moneys from other
1 29 sources according to rules adopted by the department. Funds
1 30 appropriated in this section may be used for elderly services
1 31 not specifically enumerated in this section only if approved
1 32 by an area agency on aging for provision of the service within
1 33 the area.
1 34 2. Of the funds allocated under this section and any other
1 35 state funds allocated for aging programs of the area agencies
2 1 on aging not more than 7.5 percent of the total amount
2 2 allocated shall be used for area agencies on aging
2 3 administrative purposes.
2 4 3. It is the intent of the general assembly that the Iowa
2 5 chapters of the Alzheimer's association and the case
2 6 management program for the frail elderly shall collaborate and
2 7 cooperate fully to assist families in maintaining family
2 8 members with Alzheimer's disease in the community for the
2 9 longest period of time possible.
2 10 4. The department shall maintain policies and procedures
2 11 regarding Alzheimer's support and the retired and senior
2 12 volunteer program.
2 13 DIVISION II
2 14 PUBLIC HEALTH
2 15 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is
2 16 appropriated from the general fund of the state to the Iowa
2 17 department of public health for the fiscal year beginning July
2 18 1, 2003, and ending June 30, 2004, the following amounts, or
2 19 so much thereof as is necessary, to be used for the purposes

2 20 designated:
 2 21 1. ADDICTIVE DISORDERS
 2 22 For reducing the prevalence of use of tobacco, alcohol, and
 2 23 other drugs, and treating individuals affected by addictive
 2 24 behaviors, including gambling, and for not more than the
 2 25 following full-time equivalent positions:
 2 26 \$ 1,277,947
 2 27 FTEs 13.75
 2 28 a. The department shall continue to coordinate with
 2 29 substance abuse treatment and prevention providers regardless
 2 30 of funding source to assure the delivery of substance abuse
 2 31 treatment and prevention programs.
 2 32 b. The commission on substance abuse, in conjunction with
 2 33 the department, shall continue to coordinate the delivery of
 2 34 substance abuse services involving prevention, social and
 2 35 medical detoxification, and other treatment by medical and
 3 1 nonmedical providers to uninsured and court-ordered substance
 3 2 abuse patients in all counties of the state.
 3 3 c. The department and any grantee or subgrantee of the
 3 4 department shall not discriminate against a nongovernmental
 3 5 organization that provides substance abuse treatment and
 3 6 prevention services or applies for funding to provide those
 3 7 services on the basis that the organization has a religious
 3 8 character. The department shall report to the governor and
 3 9 the general assembly on or before February 1, 2004, regarding
 3 10 the number of religious or other nongovernmental organizations
 3 11 that applied for funds in the preceding fiscal year, the
 3 12 amounts awarded to those organizations, and the basis for any
 3 13 refusal by the department or grantee or subgrantee of the
 3 14 department to award funds to any of those organizations that
 3 15 applied.
 3 16 2. ADULT WELLNESS
 3 17 For maintaining or improving the health status of adults,
 3 18 with target populations between the ages of 18 through 60, and
 3 19 for not more than the following full-time equivalent
 3 20 positions:
 3 21 \$ 260,582
 3 22 FTEs 23.85
 3 23 3. CHILD AND ADOLESCENT WELLNESS
 3 24 For promoting the optimum health status for children and
 3 25 adolescents from birth through 21 years of age, and for not
 3 26 more than the following full-time equivalent positions:
 3 27 \$ 835,959
 3 28 FTEs 44.15
 3 29 4. CHRONIC CONDITIONS
 3 30 For serving individuals identified as having chronic
 3 31 conditions or special health care needs, and for not more than
 3 32 the following full-time equivalent positions:
 3 33 \$ 1,036,805
 3 34 FTEs 11.15
 3 35 5. COMMUNITY CAPACITY
 4 1 For strengthening the health care delivery system at the
 4 2 local level, and for not more than the following full-time
 4 3 equivalent positions:
 4 4 \$ 1,287,158
 4 5 FTEs 25.10
 4 6 Of the funds appropriated in this subsection, \$100,000 is
 4 7 allocated for a child vision screening program implemented
 4 8 through the university of Iowa hospitals and clinics in
 4 9 collaboration with community empowerment areas.
 4 10 6. ELDERLY WELLNESS
 4 11 For optimizing the health of persons 60 years of age and
 4 12 older, and for not more than the following full-time
 4 13 equivalent positions:
 4 14 \$ 9,470,754
 4 15 FTEs 4.35
 4 16 7. ENVIRONMENTAL HAZARDS
 4 17 For reducing the public's exposure to hazards in the
 4 18 environment, primarily chemical hazards, and for not more than
 4 19 the following full-time equivalent positions:
 4 20 \$ 349,547
 4 21 FTEs 8.50
 4 22 8. INFECTIOUS DISEASES
 4 23 For reducing the incidence and prevalence of communicable
 4 24 diseases, and for not more than the following full-time
 4 25 equivalent positions:
 4 26 \$ 977,340
 4 27 FTEs 36.90
 4 28 9. INJURIES
 4 29 For providing support and protection to victims of abuse or
 4 30 injury, or programs that are designed to prevent abuse or

4 31 injury, and for not more than the following full-time
4 32 equivalent positions:
4 33 \$ 1,412,918
4 34 FTEs 7.75

4 35 Of the funds appropriated in this subsection, \$660,000
5 1 shall be credited to the emergency medical services fund
5 2 created in section 135.25.

5 3 10. PUBLIC PROTECTION
5 4 For protecting the health and safety of the public through
5 5 establishing standards and enforcing regulations, and for not
5 6 more than the following full-time equivalent positions:
5 7 \$ 6,510,871
5 8 FTEs 149.10

5 9 a. The department may expend funds received from licensing
5 10 fees in addition to amounts appropriated in this subsection,
5 11 if those additional expenditures are directly the result of a
5 12 scope of practice review committee's unanticipated litigation
5 13 costs arising from the discharge of an examining board's
5 14 regulatory duties. Before the department expends or encumbers
5 15 funds for a scope of practice review committee or for an
5 16 amount in excess of the funds budgeted for an examining board,
5 17 the director of the department of management shall approve the
5 18 expenditure or encumbrance. The amounts necessary to fund any
5 19 unanticipated litigation or scope of practice review committee
5 20 expense in the fiscal year beginning July 1, 2003, shall not
5 21 exceed 5 percent of the average annual fees generated by the
5 22 boards for the previous two fiscal years. The funds
5 23 authorized for expenditure pursuant to this lettered paragraph
5 24 are appropriated to the department for the purposes described
5 25 in this paragraph.

5 26 b. For the fiscal year beginning July 1, 2003, the
5 27 department shall retain fees collected from the certification
5 28 of lead inspectors and lead abaters pursuant to section
5 29 135.105A to support the certification program; and shall
5 30 retain fees collected from the licensing, registration,
5 31 authorization, accreditation, and inspection of x-ray machines
5 32 used for mammographically guided breast biopsy, screening, and
5 33 diagnostic mammography, pursuant to section 136C.10 to support
5 34 the administration of the chapter. The department may also
5 35 retain fees collected pursuant to section 136C.10 on all
6 1 shippers of radioactive material waste containers transported
6 2 across Iowa if the department does not obtain funding to
6 3 support the oversight and regulation of this activity, and for
6 4 x-ray radiology examination fees collected by the department
6 5 and reimbursed to a private organization conducting the
6 6 examination. Fees retained by the department pursuant to this
6 7 lettered paragraph are appropriated to the department for the
6 8 purposes described in this lettered paragraph.

6 9 c. The department may retain and expend not more than
6 10 \$297,961 for lease and maintenance expenses from fees
6 11 collected pursuant to section 147.80 by the board of dental
6 12 examiners, the board of pharmacy examiners, the board of
6 13 medical examiners, and the board of nursing in the fiscal year
6 14 beginning July 1, 2003, and ending June 30, 2004. Fees
6 15 retained by the department pursuant to this lettered paragraph
6 16 are appropriated to the department for the purposes described
6 17 in this lettered paragraph.

6 18 d. The department may retain and expend not more than
6 19 \$100,000 for reduction of the number of days necessary to
6 20 process medical license requests and for reduction of the
6 21 number of days needed for consideration of malpractice cases
6 22 from fees collected pursuant to section 147.80 by the board of
6 23 medical examiners in the fiscal year beginning July 1, 2003,
6 24 and ending June 30, 2004. Fees retained by the department
6 25 pursuant to this lettered paragraph are appropriated to the
6 26 department for the purposes described in this lettered
6 27 paragraph.

6 28 e. If a person in the course of responding to an emergency
6 29 renders aid to an injured person and becomes exposed to bodily
6 30 fluids of the injured person, that emergency responder shall
6 31 be entitled to hepatitis testing and immunization in
6 32 accordance with the latest available medical technology to
6 33 determine if infection with hepatitis has occurred. The
6 34 person shall be entitled to reimbursement from the funds
6 35 appropriated in this subsection only if the reimbursement is
7 1 not available through any employer or third-party payor.

7 2 f. The board of dental examiners may retain and expend not
7 3 more than \$148,060 from revenues generated pursuant to section
7 4 147.80. Fees retained by the board pursuant to this lettered
7 5 paragraph are appropriated to the department to be used for
7 6 the purposes of regulating dental assistants.

7 7 g. The board of medical examiners, the board of pharmacy
7 8 examiners, the board of dental examiners, and the board of
7 9 nursing shall prepare estimates of projected receipts to be
7 10 generated by the licensing, certification, and examination
7 11 fees of each board as well as a projection of the fairly
7 12 apportioned administrative costs and rental expenses
7 13 attributable to each board. Each board shall annually review
7 14 and adjust its schedule of fees so that, as nearly as
7 15 possible, projected receipts equal projected costs.
7 16 h. The board of medical examiners, the board of pharmacy
7 17 examiners, the board of dental examiners, and the board of
7 18 nursing shall retain their individual executive officers, but
7 19 are strongly encouraged to share administrative, clerical, and
7 20 investigative staffs to the greatest extent possible.
7 21 i. For the fiscal year beginning July 1, 2003, the board
7 22 of nursing may retain and expend 90 percent of the revenues
7 23 generated from any increase in licensing fees pursuant to
7 24 section 147.80 for purposes related to the state board's
7 25 duties, including but not limited to addition of full-time
7 26 equivalent positions. Fees retained by the board pursuant to
7 27 this lettered paragraph are appropriated to the board of
7 28 nursing for the purposes described in this paragraph.

7 29 11. RESOURCE MANAGEMENT

7 30 For establishing and sustaining the overall ability of the
7 31 department to deliver services to the public, and for not more
7 32 than the following full-time equivalent positions:

7 33 \$ 666,717
7 34 FTEs 53.15

7 35 12. The university of Iowa hospitals and clinics under the
8 1 control of the state board of regents shall not receive
8 2 indirect costs from the funds appropriated in this section.

8 3 13. A local health care provider or nonprofit health care
8 4 organization seeking grant moneys administered by the Iowa
8 5 department of public health shall provide documentation that
8 6 the provider or organization has coordinated its services with
8 7 other local entities providing similar services.

8 8 14. a. The department shall apply for available federal
8 9 funds for sexual abstinence education programs.

8 10 b. It is the intent of the general assembly to comply with
8 11 the United States Congress' intent to provide education that
8 12 promotes abstinence from sexual activity outside of marriage
8 13 and reduces pregnancies, by focusing efforts on those persons
8 14 most likely to father and bear children out of wedlock.

8 15 c. Any sexual abstinence education program awarded moneys
8 16 under the grant program shall meet the definition of
8 17 abstinence education in the federal law. Grantees shall be
8 18 evaluated based upon the extent to which the abstinence
8 19 program successfully communicates the goals set forth in the
8 20 federal law.

8 21 Sec. 3. GAMBLING TREATMENT FUND == APPROPRIATION.

8 22 1. There is appropriated from funds available in the
8 23 gambling treatment fund established in the office of the
8 24 treasurer of state pursuant to section 99E.10 to the Iowa
8 25 department of public health for the fiscal year beginning July
8 26 1, 2003, and ending June 30, 2004, the following amount, or so
8 27 much thereof as is necessary, to be used for the purpose
8 28 designated:

8 29 a. Addictive disorders

8 30 To be utilized for the benefit of persons with addictions:

8 31 \$ 1,690,000

8 32 b. It is the intent of the general assembly that from the
8 33 moneys appropriated in this section, persons with a dual
8 34 diagnosis of substance abuse and gambling addictions shall be
8 35 given priority in treatment services.

9 1 c. Gambling treatment program

9 2 The funds remaining in the gambling treatment fund after
9 3 the appropriation in paragraph "a" is made shall be used for
9 4 funding of administrative costs and to provide programs which
9 5 may include, but are not limited to, outpatient and follow-up
9 6 treatment for persons affected by problem gambling,
9 7 rehabilitation and residential treatment programs, information
9 8 and referral services, education and preventive services, and
9 9 financial management services.

9 10 2. For the fiscal year beginning July 1, 2003, and ending
9 11 June 30, 2004, from the tax revenue received by the state
9 12 racing and gaming commission pursuant to section 99D.15,
9 13 subsections 1, 3, and 4, an amount equal to three-tenths of
9 14 one percent of the gross sum wagered by the pari-mutuel method
9 15 is to be deposited into the gambling treatment fund.

9 16 Sec. 4. VITAL RECORDS. The vital records modernization
9 17 project as enacted in 1993 Iowa Acts, chapter 55, section 1,

9 18 as amended by 1994 Iowa Acts, chapter 1068, section 8, as
9 19 amended by 1997 Iowa Acts, chapter 203, section 9, 1998 Iowa
9 20 Acts, chapter 1221, section 9, and 1999 Iowa Acts, chapter
9 21 201, section 17, and as continued by 2000 Iowa Acts, chapter
9 22 1222, section 10, 2001 Iowa Acts, chapter 182, section 13, and
9 23 2002 Iowa Acts, Second Extraordinary Session, chapter 1003,
9 24 section 104, shall be extended until June 30, 2004, and the
9 25 increased fees to be collected pursuant to that project shall
9 26 continue to be collected and are appropriated to the Iowa
9 27 department of public health until June 30, 2004.

9 28 Sec. 5. SCOPE OF PRACTICE REVIEW PROJECT. The scope of
9 29 practice review committee pilot project as enacted in 1997
9 30 Iowa Acts, chapter 203, section 6, and as continued by 2002
9 31 Iowa Acts, Second Extraordinary Session, chapter 1003, section
9 32 107, shall be extended until June 30, 2004. The Iowa
9 33 department of public health shall submit an annual progress
9 34 report to the governor and the general assembly by January 15
9 35 and shall include any recommendations for legislative action
10 1 as a result of review committee activities. The department
10 2 may contract with a school or college of public health in Iowa
10 3 to assist in implementing the project.

10 4 Sec. 6. HEALTH CARE ACCESS PARTNERSHIP PILOT PROJECT.

10 5 1. The director of public health shall establish a health
10 6 care access partnership pilot project in a county with a
10 7 population of more than 250,000 for a two-year period. The
10 8 director shall adopt rules as necessary to establish and
10 9 administer the pilot project. In adopting rules, the director
10 10 shall consult with persons and agencies who may be involved
10 11 with a health care access partnership and with the department
10 12 of human services.

10 13 2. The purpose of the health care access partnership pilot
10 14 project is to implement systems of health care services for
10 15 low-income persons or persons without health insurance
10 16 coverage, and others, by enhancing collaboration between
10 17 persons and agencies providing charity care or services under
10 18 the medical assistance program.

10 19 3. The elements of the partnership pilot project shall
10 20 include but are not limited to all of the following:

10 21 a. A person participating in the partnership may be a
10 22 public, private, for-profit, or nonprofit entity.

10 23 b. Participation provisions shall be outlined in a written
10 24 agreement between those participating. If authorized under
10 25 chapter 28E, a chapter 28E agreement may be utilized for all
10 26 or a portion of the participant provisions.

10 27 c. If a participant in the partnership is a medical
10 28 assistance program provider, the participant must be a medical
10 29 assistance program provider in good standing and must accept
10 30 medical assistance reimbursement as full payment for any
10 31 service provided. Unless expressly prohibited by the federal
10 32 government, a medical assistance program provider offering
10 33 services in the area served by the partnership shall be
10 34 required to participate in the partnership as a condition of
10 35 participation in the medical assistance program.

11 1 d. Participants shall be authorized to share confidential
11 2 information if the sharing is in the best interests of a
11 3 client and the client has provided written authorization for
11 4 the information sharing. If it is determined that the optimal
11 5 approach for the information sharing is for the participants
11 6 to establish a multidisciplinary community services team under
11 7 section 331.909, notwithstanding section 331.909, subsection
11 8 4, the participants may disclose information other than oral
11 9 information with one another.

11 10 e. A referral process among the participants shall be
11 11 established.

11 12 f. The geographic area to be served by those participating
11 13 in the agreement shall be identified in the agreement and may
11 14 encompass the entire county.

11 15 g. Provision shall be made for receipt and expenditure of
11 16 funding for the joint purposes of those participating or for
11 17 clients of those participating and for receiving and expending
11 18 funding received from foundations, grants, or other revenue
11 19 sources.

11 20 h. Provision to allow the partnership to form any
11 21 governance structure that is appropriate to the purposes of
11 22 the partnership and that meets all federal or state statutory
11 23 requirements for the specific elements of the partnership's
11 24 charter.

11 25 4. If administrative rules are necessary to implement the
11 26 provisions of this section, the initial rules shall be adopted
11 27 on or before September 1, 2003. The director of public health
11 28 may adopt the initial rules as emergency rules under section

11 29 17A.4, subsection 2, and section 17A.5, subsection 2,
11 30 paragraph "b", and the rules shall be effective immediately
11 31 upon filing unless the effective date is delayed by the
11 32 administrative rules review committee, notwithstanding section
11 33 17A.4, subsection 5, and section 17A.8, subsection 9, or a
11 34 later date is specified in the rules. Any rules adopted in
11 35 accordance with this subsection shall not take effect before
12 1 the administrative rules review committee reviews the rules.
12 2 Any rules adopted in accordance with this subsection shall
12 3 also be published as a notice of intended action as provided
12 4 in section 17A.4.

12 5 DIVISION III
12 6 HUMAN SERVICES

12 7 Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
12 8 GRANT. There is appropriated from the fund created in section
12 9 8.41 to the department of human services for the fiscal year
12 10 beginning July 1, 2003, and ending June 30, 2004, from moneys
12 11 received under the federal temporary assistance for needy
12 12 families block grant pursuant to the federal Personal
12 13 Responsibility and Work Opportunity Reconciliation Act of
12 14 1996, Pub. L. No. 104-193 and successor legislation, which are
12 15 federally appropriated for the federal fiscal years beginning
12 16 October 1, 2002, and ending September 30, 2003, and beginning
12 17 October 1, 2003, and ending September 30, 2004, the following
12 18 amounts, or so much thereof as is necessary, to be used for
12 19 the purposes designated:

12 20 If the federal government appropriation received for Iowa's
12 21 portion of the federal temporary assistance for needy families
12 22 block grant amounts for the federal fiscal years beginning
12 23 October 1, 2002, and ending September 30, 2003, and beginning
12 24 October 1, 2003, and ending September 30, 2004, are less than
12 25 \$131,524,959, it is the intent of the general assembly to act
12 26 expeditiously during the 2004 legislative session to adjust
12 27 appropriations or take other actions to address the reduced
12 28 amount. Moneys appropriated in this section shall be used in
12 29 accordance with the federal law making the funds available,
12 30 applicable Iowa law, appropriations made from the general fund
12 31 of the state in this Act for the purpose designated, and
12 32 administrative rules adopted to implement the federal and Iowa
12 33 law:

12 34 1. To be credited to the family investment program account
12 35 and used for assistance under the family investment program
13 1 under chapter 239B:

13 2 \$ 51,492,790

13 3 2. To be credited to the family investment program account
13 4 and used for the job opportunities and basic skills (JOBS)
13 5 program, and implementing family investment agreements, in
13 6 accordance with chapter 239B:

13 7 \$ 13,412,794

13 8 3. For field operations:

13 9 \$ 14,152,174

13 10 4. For general administration:

13 11 \$ 3,238,614

13 12 5. For local administrative costs:

13 13 \$ 2,122,982

13 14 6. For state child care assistance:

13 15 \$ 21,145,765

13 16 a. Of the funds appropriated in this subsection, \$200,000

13 17 shall be used for provision of educational opportunities to
13 18 registered child care home providers in order to improve
13 19 services and programs offered by this category of providers
13 20 and to increase the number of providers. The department may
13 21 contract with institutions of higher education or child care
13 22 resource and referral centers to provide the educational
13 23 opportunities. Allowable administrative costs under the
13 24 contracts shall not exceed 5 percent. The application for a
13 25 grant shall not exceed two pages in length.

13 26 b. Of the funds appropriated in this subsection, the
13 27 maximum amount allowed under Pub. L. No. 104-193 and successor
13 28 legislation shall be transferred to the child care and
13 29 development block grant appropriation. Funds appropriated in
13 30 this subsection that remain following the transfer shall be
13 31 used to provide direct spending for the child care needs of
13 32 working parents in families eligible for the family investment
13 33 program.

13 34 7. For the parental involvement program established in
13 35 section 217A.1, if enacted by this Act:

14 1 \$ 35,000

14 2 8. For mental health and developmental disabilities
14 3 community services:

14 4 \$ 4,349,266

14 5 9. For child and family services:
14 6 \$ 25,256,571
14 7 10. For child abuse prevention grants:
14 8 \$ 250,000
14 9 11. For pregnancy prevention grants on the condition that
14 10 family planning services are funded:
14 11 \$ 2,514,413
14 12 a. Pregnancy prevention grants shall be awarded to
14 13 programs in existence on or before July 1, 2003, if the
14 14 programs are comprehensive in scope and have demonstrated
14 15 positive outcomes. Grants shall be awarded to pregnancy
14 16 prevention programs which are developed after July 1, 2003, if
14 17 the programs are comprehensive in scope and are based on
14 18 existing models that have demonstrated positive outcomes.
14 19 Grants shall comply with the requirements provided in 1997
14 20 Iowa Acts, chapter 208, section 14, subsections 1 and 2,
14 21 including the requirement that grant programs must emphasize
14 22 sexual abstinence. Priority in the awarding of grants shall
14 23 be given to programs that serve areas of the state which
14 24 demonstrate the highest percentage of unplanned pregnancies of
14 25 females age 13 or older but younger than age 18 within the
14 26 geographic area to be served by the grant.
14 27 b. In addition to the full-time equivalent positions
14 28 funded in this Act, the department may use a portion of the
14 29 funds appropriated in this subsection to employ an employee in
14 30 up to 1.00 FTE for the administration of programs specified in
14 31 this subsection.
14 32 12. For technology needs and other resources necessary to
14 33 meet federal welfare reform reporting, tracking, and case
14 34 management requirements:
14 35 \$ 1,037,186
15 1 13. For volunteers:
15 2 \$ 42,663
15 3 14. For the healthy opportunities for parents to
15 4 experience success (HOPES) program administered by the Iowa
15 5 department of public health to target child abuse prevention:
15 6 \$ 200,000
15 7 15. To be credited to the Iowa marriage initiative grant
15 8 fund created in section 234.45:
15 9 \$ 85,000
15 10 a. Moneys credited to the Iowa marriage initiative grant
15 11 fund under this subsection are appropriated to the department
15 12 for the fiscal year beginning July 1, 2003, and ending June
15 13 30, 2004, to be used in accordance with this section.
15 14 b. The department shall establish an Iowa fatherhood and
15 15 family initiative grant program utilizing funds credited to
15 16 the Iowa marriage initiative grant fund created in section
15 17 234.45 to fund services to support fatherhood and to encourage
15 18 the formation and maintenance of two-parent families that are
15 19 secure and nurturing. The department of human services shall
15 20 adopt rules pursuant to chapter 17A to administer the grant
15 21 fund and to establish procedures for awarding of grants.
15 22 c. The program shall require that a grantee be a nonprofit
15 23 organization incorporated in this state with demonstrated
15 24 successful experience in facilitating fatherhood promotion
15 25 activities, marriage and family promotion activities, in using
15 26 media resources to promote fatherhood and marriage and family
15 27 formation, in making presentations to service or faith-based
15 28 organizations, and in raising private funding for activities
15 29 that support fatherhood, marriage, and families.
15 30 d. Preference in awarding grants may be given to those
15 31 nonprofit organizations working with faith-based groups and
15 32 those groups targeting young fathers.
15 33 e. The program activities funded by a grant shall include
15 34 but are not limited to all of the following:
15 35 (1) Working with individuals who have a demonstrated
16 1 ability in working with at-risk fathers or working with those
16 2 who may solemnize marriages pursuant to section 598.10 to
16 3 utilize premarital diagnostic tools, to implement marriage
16 4 agreements developed by the individuals who may solemnize
16 5 marriages pursuant to section 595.10 that provide for an
16 6 appropriate engagement period and premarital and postmarital
16 7 counseling, and to use volunteer mentors in program
16 8 activities.
16 9 (2) Provision of a series of meetings sharing best
16 10 practices that encourage young fathers to fulfill their
16 11 responsibilities to the expectant mother of the child during
16 12 the pregnancy, and to the mother of the child following the
16 13 birth of the child, that promote happy and healthy marriages,
16 14 and that offer counseling to determine the father's level of
16 15 commitment to the child and the child's mother.

16 16 f. The program activities funded by a grant shall be
16 17 privately funded at no less than fifty percent of the grant
16 18 amount.

16 19 g. Grants shall be awarded in a manner that results in
16 20 provision of services throughout the state in an equal number
16 21 of urban and rural geographic areas.

16 22 h. The department shall implement the grant program so
16 23 that the initial request for proposals is issued on or before
16 24 October 1, 2003, and so that any grants are awarded on or
16 25 before January 1, 2004.

16 26 i. A grantee shall submit a quarterly financial report to
16 27 the department and to the legislative fiscal bureau and shall
16 28 be subject to an annual independent evaluation to assess
16 29 accomplishment of the purposes of the program.

16 30 j. The department shall provide a copy of the request for
16 31 proposals and shall submit a report concerning the proposals
16 32 received and grants awarded to those persons designated by
16 33 this division of this Act to receive reports.

16 34 k. The department may adopt emergency rules to implement
16 35 the provisions of this subsection.

17 1 16. To be credited to the state child care assistance
17 2 appropriation made in this section to be used for funding of
17 3 community-based early childhood programs targeted to children
17 4 from birth through five years of age, developed by community
17 5 empowerment areas as provided in this subsection:
17 6 \$ 7,350,000

17 7 a. The department may transfer federal temporary
17 8 assistance for needy families block grant funding appropriated
17 9 and allocated in this subsection to the child care and
17 10 development block grant appropriation in accordance with
17 11 federal law as necessary to comply with the provisions of this
17 12 subsection. The funding shall then be provided to community
17 13 empowerment areas for the fiscal year beginning July 1, 2003,
17 14 in accordance with all of the following:

17 15 (1) The area must be approved as a designated community
17 16 empowerment area by the Iowa empowerment board.

17 17 (2) The maximum funding amount a community empowerment
17 18 area is eligible to receive shall be determined by applying
17 19 the area's percentage of the state's average monthly family
17 20 investment program population in the preceding fiscal year to
17 21 the total amount appropriated for fiscal year 2003=2004 from
17 22 the TANF block grant to fund community-based programs targeted
17 23 to children from birth through five years of age developed by
17 24 community empowerment areas.

17 25 (3) A community empowerment area receiving funding shall
17 26 comply with any federal reporting requirements associated with
17 27 the use of that funding and other results and reporting
17 28 requirements established by the Iowa empowerment board. The
17 29 department shall provide technical assistance in identifying
17 30 and meeting the federal requirements.

17 31 (4) The availability of funding provided under this
17 32 subsection is subject to changes in federal requirements and
17 33 amendments to Iowa law.

17 34 b. The moneys distributed in accordance with this
17 35 subsection shall be used by communities for the purposes of
18 1 enhancing quality child care capacity in support of parent
18 2 capability to obtain or retain employment. The moneys shall
18 3 be used with a primary emphasis on low-income families and
18 4 children from birth to five years of age. Moneys shall be
18 5 provided in a flexible manner to communities, and shall be
18 6 used to implement strategies identified by the communities to
18 7 achieve such purposes. In addition to the full-time
18 8 equivalent positions funded in this division of this Act, 1.00
18 9 FTE position is authorized and the department may use funding
18 10 appropriated in this subsection for provision of technical
18 11 assistance and other support to communities developing and
18 12 implementing strategies with moneys distributed in accordance
18 13 with this subsection.

18 14 c. Moneys that are subject to this subsection which are
18 15 not distributed to a community empowerment area or otherwise
18 16 remain unobligated or unexpended at the end of the fiscal year
18 17 shall revert to the fund created in section 8.41 to be
18 18 available for appropriation by the general assembly in a
18 19 subsequent fiscal year.

18 20 Of the amounts appropriated in this section, \$11,612,112
18 21 for the fiscal year beginning July 1, 2003, shall be
18 22 transferred to the appropriation of the federal social
18 23 services block grant for that fiscal year. If the federal
18 24 government revises requirements to reduce the amount that may
18 25 be transferred to the federal social services block grant, it
18 26 is the intent of the general assembly to act expeditiously

18 27 during the 2004 legislative session to adjust appropriations
 18 28 or the transfer amount or take other actions to address the
 18 29 reduced amount.
 18 30 Eligible funding available under the federal temporary
 18 31 assistance for needy families block grant that is not
 18 32 appropriated or not otherwise expended shall be considered
 18 33 reserved for economic downturns and welfare reform purposes
 18 34 and is subject to further state appropriation to support
 18 35 families in their movement toward self-sufficiency.
 19 1 Federal funding received that is designated for activities
 19 2 supporting marriage or two-parent families is appropriated to
 19 3 the Iowa marriage initiative grant fund created in section
 19 4 234.45.
 19 5 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.
 19 6 1. Moneys credited to the family investment program (FIP)
 19 7 account for the fiscal year beginning July 1, 2003, and ending
 19 8 June 30, 2004, shall be used in accordance with the following
 19 9 requirements:
 19 10 a. The department of human services shall provide
 19 11 assistance in accordance with chapter 239B.
 19 12 b. The department shall continue the special needs program
 19 13 under the family investment program.
 19 14 c. The department shall continue to comply with federal
 19 15 welfare reform data requirements pursuant to the
 19 16 appropriations made for that purpose.
 19 17 d. The department shall continue expansion of the
 19 18 electronic benefit transfer program as necessary to comply
 19 19 with federal food stamp benefit requirements. The target date
 19 20 for statewide implementation of the program is October 1,
 19 21 2003.
 19 22 2. The department may use a portion of the moneys credited
 19 23 to the family investment program account under this section,
 19 24 as necessary for salaries, support, maintenance, and
 19 25 miscellaneous purposes for not more than the following full-
 19 26 time equivalent positions which are in addition to any other
 19 27 full-time equivalent positions authorized by this Act:
 19 28 FTEs 8.00
 19 29 3. The department may transfer funds in accordance with
 19 30 section 8.39, either federal or state, to or from the child
 19 31 care appropriations made for the fiscal year beginning July 1,
 19 32 2003, if the department deems this would be a more effective
 19 33 method of paying for JOBS program child care, to maximize
 19 34 federal funding, or to meet federal maintenance of effort
 19 35 requirements.
 20 1 4. Moneys appropriated in this Act and credited to the
 20 2 family investment program account for the fiscal year
 20 3 beginning July 1, 2003, and ending June 30, 2004, are
 20 4 allocated as follows:
 20 5 a. For the family development and self-sufficiency grant
 20 6 program as provided under section 217.12:
 20 7 \$ 5,133,042
 20 8 (1) Of the funds allocated for the family development and
 20 9 self-sufficiency grant program in this lettered paragraph, not
 20 10 more than 5 percent of the funds shall be used for the
 20 11 administration of the grant program.
 20 12 (2) Based upon the annual evaluation report concerning
 20 13 each grantee funded by previously appropriated funds and
 20 14 through the solicitation of additional grant proposals, the
 20 15 family development and self-sufficiency council may use the
 20 16 allocated funds to renew or expand existing grants or award
 20 17 new grants. In utilizing the funding allocated in this
 20 18 lettered paragraph, the council shall give consideration, in
 20 19 addition to other criteria established by the council, to a
 20 20 grantee's intended use of local funds with a grant and to
 20 21 whether approval of a grant proposal would expand the
 20 22 availability of the program's services.
 20 23 (3) The department may continue to implement the family
 20 24 development and self-sufficiency grant program statewide
 20 25 during FY 2003=2004.
 20 26 b. For the diversion subaccount of the family investment
 20 27 program account:
 20 28 \$ 2,814,000
 20 29 (1) Moneys allocated to the diversion subaccount shall be
 20 30 used to implement FIP diversion statewide while continuing the
 20 31 local flexibility in program design. A family that meets
 20 32 income eligibility requirements for the family investment
 20 33 program may receive a one-time payment to remedy an immediate
 20 34 need in order to permit the family to maintain self-
 20 35 sufficiency without providing ongoing cash assistance. A FIP
 21 1 participant family may receive diversion assistance to
 21 2 overcome barriers to obtaining employment and to assist in

21 3 stabilizing employment in order to increase the likelihood of
21 4 the family leaving FIP more quickly. The department shall
21 5 assess and screen individuals who would most likely benefit
21 6 from the assistance. In addition to the full-time equivalent
21 7 positions authorized in this Act, 1.00 FTE is authorized for
21 8 purposes of diversion. The department may adopt additional
21 9 eligibility criteria as necessary for compliance with federal
21 10 law and for screening those families who would be most likely
21 11 to become eligible for FIP if diversion incentives would not
21 12 be provided.

21 13 (2) A portion of the moneys allocated for the subaccount
21 14 may be used for field operations salaries, data management
21 15 system development, and implementation costs and support
21 16 deemed necessary by the director of human services in order to
21 17 administer the FIP diversion program.

21 18 (3) Of the funds allocated in this lettered paragraph, not
21 19 more than \$250,000 shall be used to develop or continue
21 20 community-level parental obligation pilot projects. The
21 21 requirements established under 2001 Iowa Acts, chapter 191,
21 22 section 3, subsection 5, paragraph "c", subparagraph (3),
21 23 shall remain applicable to the parental obligation pilot
21 24 projects for fiscal year 2003=2004.

21 25 c. For the food stamp employment and training program:
21 26 \$ 63,000

21 27 5. Of the child support collections assigned under the
21 28 family investment program, an amount equal to the federal
21 29 share of support collections shall be credited to the child
21 30 support recovery appropriation. Of the remainder of the
21 31 assigned child support collections received by the child
21 32 support recovery unit, a portion shall be credited to the
21 33 family investment program account and a portion may be used to
21 34 increase recoveries.

21 35 6. For the fiscal year beginning July 1, 2003, the
22 1 department shall continue the process for the state to receive
22 2 refunds of utility and rent deposits, including any accrued
22 3 interest, for emergency assistance program recipients which
22 4 were paid by persons other than the state. The department
22 5 shall also receive refunds, including any accrued interest, of
22 6 assistance paid with funding available under this program.
22 7 The refunds received by the department shall be credited to
22 8 the family investment program (FIP) account to offset FIP cash
22 9 grants expended in the same year. Notwithstanding section
22 10 8.33, moneys received by the department under this subsection
22 11 which remain after the emergency assistance program is
22 12 terminated and state or federal moneys in the emergency
22 13 assistance account which remain unobligated or unexpended at
22 14 the close of the fiscal year beginning July 1, 2003, shall not
22 15 revert to any other fund but shall be credited to the family
22 16 investment program account.

22 17 7. The department may adopt emergency administrative rules
22 18 for the family investment, food stamp, and medical assistance
22 19 programs, if necessary, to comply with federal requirements.

22 20 8. The department may continue the initiative to
22 21 streamline and simplify the employer verification process for
22 22 applicants, participants, and employers in the administration
22 23 of the department's programs. The department may contract
22 24 with companies collecting data from employers when the
22 25 information is needed in the administration of these programs.
22 26 The department may limit the availability of the initiative on
22 27 the basis of geographic area or number of individuals.

22 28 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is
22 29 appropriated from the general fund of the state to the
22 30 department of human services for the fiscal year beginning
22 31 July 1, 2003, and ending June 30, 2004, the following amount,
22 32 or so much thereof as is necessary, to be used for the purpose
22 33 designated:

22 34 To be credited to the family investment program account and
22 35 used for family investment program assistance under chapter
23 1 239B:

23 2 \$ 36,187,879

23 3 1. The department of workforce development, in
23 4 consultation with the department of human services, shall
23 5 continue to utilize recruitment and employment practices to
23 6 include former and current family investment program
23 7 recipients.

23 8 2. The department of human services shall continue to work
23 9 with the department of workforce development and local
23 10 community collaborative efforts to provide support services
23 11 for family investment program participants. The support
23 12 services shall be directed to those participant families who
23 13 would benefit from the support services and are likely to have

23 14 success in achieving economic independence.
23 15 3. Of the funds appropriated in this section, \$9,274,143
23 16 is allocated for the JOBS program.
23 17 4. The department shall continue to work with religious
23 18 organizations and other charitable institutions to increase
23 19 the availability of host homes, referred to as second chance
23 20 homes or other living arrangements under the federal Personal
23 21 Responsibility and Work Opportunity Reconciliation Act of
23 22 1996, Pub. L. No. 104-193, } 103. The purpose of the homes or
23 23 arrangements is to provide a supportive and supervised living
23 24 arrangement for minor parents receiving assistance under the
23 25 family investment program who, under chapter 239B, may receive
23 26 assistance while living in an alternative setting other than
23 27 with their parent or legal guardian.
23 28 Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated
23 29 from the general fund of the state to the department of human
23 30 services for the fiscal year beginning July 1, 2003, and
23 31 ending June 30, 2004, the following amount, or so much thereof
23 32 as is necessary, to be used for the purposes designated:
23 33 For child support recovery, including salaries, support,
23 34 maintenance, and miscellaneous purposes and for not more than
23 35 the following full-time equivalent positions:
24 1 \$ 5,482,793
24 2 FTEs 405.00
24 3 1. The director of human services, within the limitations
24 4 of the moneys appropriated in this section, or moneys
24 5 transferred from the family investment program account for
24 6 this purpose, shall establish new positions and add employees
24 7 to the child support recovery unit if the director determines
24 8 that both the current and additional employees together can
24 9 reasonably be expected to maintain or increase net state
24 10 revenue at or beyond the budgeted level.
24 11 2. Nonpublic assistance application fees and other user
24 12 fees received by the child support recovery unit are
24 13 appropriated and shall be used for the purposes of the child
24 14 support recovery program. The director of human services may
24 15 add positions within the limitations of the amount
24 16 appropriated for salaries and support for the positions.
24 17 3. The director of human services, in consultation with
24 18 the department of management and the legislative fiscal
24 19 committee, is authorized to receive and deposit state child
24 20 support incentive earnings in the manner specified under
24 21 applicable federal requirements.
24 22 4. a. The director of human services may establish new
24 23 positions and add state employees to the child support
24 24 recovery unit or contract for delivery of services if the
24 25 director determines the employees are necessary to replace
24 26 county-funded positions eliminated due to termination,
24 27 reduction, or nonrenewal of a chapter 28E contract. However,
24 28 the director must also determine that the resulting increase
24 29 in the state share of child support recovery incentives
24 30 exceeds the cost of the positions or contract, the positions
24 31 or contract are necessary to ensure continued federal funding
24 32 of the program, or the new positions or contract can
24 33 reasonably be expected to recover at least twice the amount of
24 34 money necessary to pay the salaries and support for the new
24 35 positions or the contract will generate at least 200 percent
25 1 of the cost of the contract.
25 2 b. Employees in full-time positions that transition from
25 3 county government to state government employment under this
25 4 subsection are exempt from testing, selection, and appointment
25 5 provisions of chapter 19A and from the provisions of
25 6 collective bargaining agreements relating to the filling of
25 7 vacant positions.
25 8 5. Surcharges paid by obligors and received by the unit as
25 9 a result of the referral of support delinquency by the child
25 10 support recovery unit to any private collection agency are
25 11 appropriated to the department and shall be used to pay the
25 12 costs of any contracts with the collection agencies.
25 13 6. The department shall expend up to \$31,000, including
25 14 federal financial participation, for the fiscal year beginning
25 15 July 1, 2003, for a child support public awareness campaign.
25 16 The department and the office of the attorney general shall
25 17 cooperate in continuation of the campaign. The public
25 18 awareness campaign shall emphasize, through a variety of media
25 19 activities, the importance of maximum involvement of both
25 20 parents in the lives of their children as well as the
25 21 importance of payment of child support obligations.
25 22 7. Federal access and visitation grant moneys shall be
25 23 issued directly to private not-for-profit agencies that
25 24 provide services designed to increase compliance with the

25 25 child access provisions of court orders, including but not
25 26 limited to neutral visitation site and mediation services.

25 27 Sec. 11. MEDICAL ASSISTANCE. There is appropriated from
25 28 the general fund of the state to the department of human
25 29 services for the fiscal year beginning July 1, 2003, and
25 30 ending June 30, 2004, the following amount, or so much thereof
25 31 as is necessary, to be used for the purpose designated:

25 32 For medical assistance reimbursement and associated costs
25 33 as specifically provided in the reimbursement methodologies in
25 34 effect on June 30, 2003, except as otherwise expressly
25 35 authorized by law, including reimbursement for abortion
26 1 services, which shall be available under the medical
26 2 assistance program only for those abortions which are
26 3 medically necessary:

26 4 \$357,486,073

26 5 1. Medically necessary abortions are those performed under
26 6 any of the following conditions:

26 7 a. The attending physician certifies that continuing the
26 8 pregnancy would endanger the life of the pregnant woman.

26 9 b. The attending physician certifies that the fetus is
26 10 physically deformed, mentally deficient, or afflicted with a
26 11 congenital illness.

26 12 c. The pregnancy is the result of a rape which is reported
26 13 within 45 days of the incident to a law enforcement agency or
26 14 public or private health agency which may include a family
26 15 physician.

26 16 d. The pregnancy is the result of incest which is reported
26 17 within 150 days of the incident to a law enforcement agency or
26 18 public or private health agency which may include a family
26 19 physician.

26 20 e. Any spontaneous abortion, commonly known as a
26 21 miscarriage, if not all of the products of conception are
26 22 expelled.

26 23 2. Notwithstanding section 8.39, the department may
26 24 transfer funds appropriated in this section to a separate
26 25 account established in the department's case management unit
26 26 for expenditures required to provide case management services
26 27 for mental health, mental retardation, and developmental
26 28 disabilities services under medical assistance which are
26 29 jointly funded by the state and county, pending final
26 30 settlement of the expenditures. Funds received by the case
26 31 management unit in settlement of the expenditures shall be
26 32 used to replace the transferred funds and are available for
26 33 the purposes for which the funds were appropriated in this
26 34 section.

26 35 3. a. The county of legal settlement shall be billed for
27 1 50 percent of the nonfederal share of the cost of case
27 2 management provided for adults, day treatment, and partial
27 3 hospitalization in accordance with sections 249A.26 and
27 4 249A.27, and 100 percent of the nonfederal share of the cost
27 5 of care for adults which is reimbursed under a federally
27 6 approved home and community-based waiver that would otherwise
27 7 be approved for provision in an intermediate care facility for
27 8 persons with mental retardation, provided under the medical
27 9 assistance program. The state shall have responsibility for
27 10 the remaining 50 percent of the nonfederal share of the cost
27 11 of case management provided for adults, day treatment, and
27 12 partial hospitalization. For persons without a county of
27 13 legal settlement, the state shall have responsibility for 100
27 14 percent of the nonfederal share of the costs of case
27 15 management provided for adults, day treatment, partial
27 16 hospitalization, and the home and community-based waiver
27 17 services. The case management services specified in this
27 18 subsection shall be billed to a county only if the services
27 19 are provided outside of a managed care contract.

27 20 b. The state shall pay the entire nonfederal share of the
27 21 costs for case management services provided to persons 17
27 22 years of age and younger who are served in a medical
27 23 assistance home and community-based waiver program for persons
27 24 with mental retardation.

27 25 c. Medical assistance funding for case management services
27 26 for eligible persons 17 years of age and younger shall also be
27 27 provided to persons residing in counties with child welfare
27 28 decategorization projects implemented in accordance with
27 29 section 232.188, provided these projects have included these
27 30 persons in their service plan and the decategorization project
27 31 county is willing to provide the nonfederal share of costs.

27 32 d. When paying the necessary and legal expenses of
27 33 intermediate care facilities for persons with mental
27 34 retardation (ICFMR), the cost payment requirements of section
27 35 222.60 shall be considered fulfilled when payment is made in

28 1 accordance with the medical assistance payment rates
28 2 established for ICFMRs by the department and the state or a
28 3 county of legal settlement is not obligated for any amount in
28 4 excess of the rates.
28 5 e. Unless a county has paid or is paying for the
28 6 nonfederal share of the cost of a person's home and community=
28 7 based waiver services or ICFMR placement under the county's
28 8 mental health, mental retardation, and developmental
28 9 disabilities services fund, or unless a county of legal
28 10 settlement would become liable for the costs of services at
28 11 the ICFMR level of care for a person due to the person
28 12 reaching the age of majority, the state shall pay the
28 13 nonfederal share of the costs of an eligible person's services
28 14 under the home and community-based waiver for persons with
28 15 brain injury.

28 16 4. The department shall utilize not more than \$60,000 of
28 17 the funds appropriated in this section to continue the
28 18 AIDS/HIV health insurance premium payment program as
28 19 established in 1992 Iowa Acts, Second Extraordinary Session,
28 20 chapter 1001, section 409, subsection 6. Of the funds
28 21 allocated in this subsection, not more than \$5,000 may be
28 22 expended for administrative purposes.

28 23 5. Of the funds appropriated to the Iowa department of
28 24 public health for substance abuse grants, \$950,000 for the
28 25 fiscal year beginning July 1, 2003, shall be transferred to
28 26 the department of human services for an integrated substance
28 27 abuse managed care system.

28 28 6. In administering the medical assistance home and
28 29 community-based waivers, the total number of openings at any
28 30 one time shall be limited to the number approved for a waiver
28 31 by the secretary of the United States department of health and
28 32 human services. The openings shall be available on a first=
28 33 come, first=served basis.

28 34 7. The department of human services, in consultation with
28 35 the Iowa department of public health and the department of
29 1 education, shall continue the program to utilize the early and
29 2 periodic screening, diagnosis, and treatment (EPSDT) funding
29 3 under medical assistance, to the extent possible, to implement
29 4 the screening component of the EPSDT program through the
29 5 school system. The department may enter into contracts to
29 6 utilize maternal and child health centers, the public health
29 7 nursing program, or school nurses in implementing this
29 8 provision.

29 9 8. The department shall continue working with county
29 10 representatives in aggressively implementing the
29 11 rehabilitation option for services to persons with chronic
29 12 mental illness under the medical assistance program, and
29 13 county funding shall be used to provide the match for the
29 14 federal funding, except for individuals with state case
29 15 status, for whom state funding shall provide the match.

29 16 9. If the federal centers for Medicare and Medicaid
29 17 services approves a waiver request from the department, the
29 18 department shall provide a period of 24 months of guaranteed
29 19 eligibility for medical assistance family planning services,
29 20 regardless of the change in circumstances of a woman who was a
29 21 medical assistance recipient when a pregnancy ended.

29 22 10. The department shall aggressively pursue options for
29 23 providing medical assistance or other assistance to
29 24 individuals with special needs who become ineligible to
29 25 continue receiving services under the early and periodic,
29 26 screening, diagnosis, and treatment program under the medical
29 27 assistance program due to becoming 21 years of age, who have
29 28 been approved for additional assistance through the
29 29 department's exception to policy provisions, but who have
29 30 health care needs in excess of the funding available through
29 31 the exception to policy process.

29 32 11. The drug utilization review commission shall submit
29 33 copies of the board's annual review, including facts and
29 34 findings, of the drugs on the department's prior authorization
29 35 list to the department and to the members of the joint
30 1 appropriations subcommittee on health and human services.

30 2 12. The department shall expend the anticipated savings
30 3 for operation of the state maximum allowable cost program for
30 4 pharmaceuticals as additional funding for the medical
30 5 assistance program.

30 6 13. The department shall implement the elimination of
30 7 hospital crossover claims for dually eligible federal Medicare
30 8 and medical assistance program beneficiaries for hospitals
30 9 licensed under chapter 135B, only if approval of a medical
30 10 assistance state plan amendment is received from the centers
30 11 for Medicare and Medicaid services of the United States

30 12 department of health and human services that protects
30 13 hospitals from financial losses specifically due to the
30 14 hospital crossover claims process under the medical assistance
30 15 program or the Medicare cost reports.
30 16 Sec. 12. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There
30 17 is appropriated from the general fund of the state to the
30 18 department of human services for the fiscal year beginning
30 19 July 1, 2003, and ending June 30, 2004, the following amount,
30 20 or so much thereof as is necessary, to be used for the purpose
30 21 designated:

30 22 For administration of the health insurance premium payment
30 23 program, including salaries, support, maintenance, and
30 24 miscellaneous purposes, and for not more than the following
30 25 full-time equivalent positions:

30 26 \$ 573,968
30 27 FTEs 21.00

30 28 Sec. 13. MEDICAL CONTRACTS. There is appropriated from
30 29 the general fund of the state to the department of human
30 30 services for the fiscal year beginning July 1, 2003, and
30 31 ending June 30, 2004, the following amount, or so much thereof
30 32 as is necessary, to be used for the purpose designated:

30 33 For medical contracts:

30 34 \$ 8,990,035

30 35 1. In any managed care contract for mental health or
31 1 substance abuse services entered into or extended by the
31 2 department on or after July 1, 2003, the request for proposals
31 3 shall provide for coverage of dual diagnosis mental health and
31 4 substance abuse treatment provided at the state mental health
31 5 institute at Mount Pleasant. To the extent possible, the
31 6 department shall also amend any such contract existing on July
31 7 1, 2003, to provide for such coverage.

31 8 2. The department may either continue or reprocure the
31 9 contract existing on June 30, 2003, with the department's
31 10 fiscal agent.

31 11 Sec. 14. STATE SUPPLEMENTARY ASSISTANCE. There is
31 12 appropriated from the general fund of the state to the
31 13 department of human services for the fiscal year beginning
31 14 July 1, 2003, and ending June 30, 2004, the following amount,
31 15 or so much thereof as is necessary, to be used for the
31 16 purposes designated:

31 17 For state supplementary assistance and the medical
31 18 assistance home and community-based services waiver rent
31 19 subsidy program:

31 20 \$ 19,198,735

31 21 1. The department shall increase the personal needs
31 22 allowance for residents of residential care facilities by the
31 23 same percentage and at the same time as federal supplemental
31 24 security income and federal social security benefits are
31 25 increased due to a recognized increase in the cost of living.
31 26 The department may adopt emergency rules to implement this
31 27 subsection.

31 28 2. If during the fiscal year beginning July 1, 2003, the
31 29 department projects that state supplementary assistance
31 30 expenditures for a calendar year will not meet the federal
31 31 pass-along requirement specified in Title XVI of the federal
31 32 Social Security Act, section 1618, as codified in 42 U.S.C. }
31 33 1382g, the department may take actions including but not
31 34 limited to increasing the personal needs allowance for
31 35 residential care facility residents and making programmatic
32 1 adjustments or upward adjustments of the residential care
32 2 facility or in-home health-related care reimbursement rates
32 3 prescribed in this Act to ensure that federal requirements are
32 4 met. In addition, the department may make other programmatic
32 5 and rate adjustments necessary to remain within the amount
32 6 appropriated in this section while ensuring compliance with
32 7 federal requirements. The department may adopt emergency
32 8 rules to implement the provisions of this subsection.

32 9 Sec. 15. CHILDREN'S HEALTH INSURANCE PROGRAM. There is
32 10 appropriated from the general fund of the state to the
32 11 department of human services for the fiscal year beginning
32 12 July 1, 2003, and ending June 30, 2004, the following amount,
32 13 or so much thereof as is necessary, to be used for the purpose
32 14 designated:

32 15 For maintenance of the healthy and well kids in Iowa (hawk=
32 16 i) program pursuant to chapter 514I for receipt of federal
32 17 financial participation under Title XXI of the federal Social
32 18 Security Act, which creates the state children's health
32 19 insurance program:

32 20 \$ 11,118,275

32 21 1. The department may transfer funds appropriated in this
32 22 section to be used for the purpose of expanding health care

32 23 coverage to children under the medical assistance program.
32 24 The department shall provide periodic updates to the general
32 25 assembly of expenditures of funds appropriated in this
32 26 section.

32 27 2. Moneys in the hawk=i trust fund are appropriated to the
32 28 department of human services and shall be used to offset any
32 29 program costs for the fiscal year beginning July 1, 2003, and
32 30 ending June 30, 2004.

32 31 Sec. 16. CHILD CARE ASSISTANCE. There is appropriated
32 32 from the general fund of the state to the department of human
32 33 services for the fiscal year beginning July 1, 2003, and
32 34 ending June 30, 2004, the following amount, or so much thereof
32 35 as is necessary, to be used for the purpose designated:

33 1 For child care programs:
33 2 \$ 5,050,752

33 3 1. a. Of the funds appropriated in this section,
33 4 \$4,525,228 shall be used for state child care assistance in
33 5 accordance with section 237A.13.

33 6 b. During the 2003=2004 fiscal year, the moneys deposited
33 7 in the child care credit fund created in section 237A.28 are
33 8 appropriated to the department to be used for state child care
33 9 assistance in accordance with section 237A.13, in addition to
33 10 the moneys allocated for that purpose in paragraph "a".

33 11 2. Nothing in this section shall be construed or is
33 12 intended as, or shall imply, a grant of entitlement for
33 13 services to persons who are eligible for assistance due to an
33 14 income level consistent with the waiting list requirements of
33 15 section 237A.13. Any state obligation to provide services
33 16 pursuant to this section is limited to the extent of the funds
33 17 appropriated in this section.

33 18 3. Of the funds appropriated in this section, \$525,524 is
33 19 allocated for the statewide program for child care resource
33 20 and referral services under section 237A.26.

33 21 4. The department may use any of the funds appropriated in
33 22 this section as a match to obtain federal funds for use in
33 23 expanding child care assistance and related programs. For the
33 24 purpose of expenditures of state and federal child care
33 25 funding, funds shall be considered obligated at the time
33 26 expenditures are projected or are allocated to the
33 27 department's service areas. Projections shall be based on
33 28 current and projected caseload growth, current and projected
33 29 provider rates, staffing requirements for eligibility
33 30 determination and management of program requirements including
33 31 data systems management, staffing requirements for
33 32 administration of the program, contractual and grant
33 33 obligations and any transfers to other state agencies, and
33 34 obligations for decategorization or innovation projects.

33 35 5. If the federal government appropriates additional
34 1 funding under the federal child care and development block
34 2 grant than was anticipated would be received for the state
34 3 fiscal year beginning July 1, 2003, in addition to the
34 4 notification requirements for expenditure requirements for
34 5 additional federal funds under 2002 Iowa Acts, chapter 1170,
34 6 the department shall consult with the chairpersons and ranking
34 7 members of the joint appropriations subcommittee on health and
34 8 human services at least thirty days in advance of committing
34 9 to expenditure of the additional funding.

34 10 6. A portion of the state match for the federal child care
34 11 and development block grant shall be provided through the
34 12 state general fund appropriation for child development grants
34 13 and other programs for at-risk children in section 279.51.

34 14 7. a. The department shall develop consumer information
34 15 material to assist parents in selecting a child care provider.
34 16 In developing the material, the department shall consult with
34 17 department of human services staff, department of education
34 18 staff, the state child care advisory council, the Iowa
34 19 empowerment board, and child care resource and referral
34 20 services. In addition, the department may consult with other
34 21 entities at the local, state, and national level.

34 22 b. The consumer information material developed by the
34 23 department for parents and other consumers of child care
34 24 services shall include but is not limited to all of the
34 25 following:

34 26 (1) A pamphlet or other printed material containing
34 27 consumer-oriented information on locating a quality child care
34 28 provider.

34 29 (2) Information explaining important considerations a
34 30 consumer should take into account in selecting a licensed or
34 31 registered child care provider.

34 32 (3) Information explaining how a consumer can identify
34 33 quality services, including what questions to ask of providers

34 34 and what a consumer might expect or demand to know before
34 35 selecting a provider.
35 1 (4) An explanation of the applicable laws and regulations
35 2 written in layperson's terms.
35 3 (5) An explanation of what it means for a provider to be
35 4 licensed, registered, or unregistered.
35 5 (6) An explanation of the information considered in
35 6 registry and record background checks.
35 7 (7) Other information deemed relevant to consumers.
35 8 c. The department shall implement and publicize an
35 9 internet page or site that provides all of the following:
35 10 (1) The written information developed pursuant to
35 11 paragraphs "a" and "b".
35 12 (2) Regular informational updates, including when a child
35 13 care provider was last subject to a state quality review or
35 14 inspection and, based upon a final score or review, the
35 15 results indicating whether the provider passed or failed the
35 16 review or inspection.
35 17 (3) Capability for a consumer to be able to access
35 18 information concerning child care providers, such as
35 19 informational updates, identification of provider location,
35 20 name, and capacity, and identification of providers
35 21 participating in the state child care assistance program and
35 22 those participating in the child care food program, by sorting
35 23 the information or employing other means that provide the
35 24 information in a manner that is useful to the consumer.
35 25 Information regarding provider location shall identify
35 26 providers located in the vicinity of an address selected by a
35 27 consumer and provide contact information without listing the
35 28 specific addresses of the providers.
35 29 (4) Other information deemed appropriate by the
35 30 department.
35 31 8. If the department receives additional funding from the
35 32 federal government designated for purposes of improving child
35 33 care quality, the funding shall be used for additional child
35 34 care consultant positions within the department's field
35 35 operations.

36 1 Sec. 17. JUVENILE INSTITUTIONS. There is appropriated
36 2 from the general fund of the state to the department of human
36 3 services for the fiscal year beginning July 1, 2003, and
36 4 ending June 30, 2004, the following amounts, or so much
36 5 thereof as is necessary, to be used for the purposes
36 6 designated:

36 7 1. For operation of the Iowa juvenile home at Toledo and
36 8 for salaries, support, maintenance, and for not more than the
36 9 following full-time equivalent positions:
36 10 \$ 6,160,878
36 11 FTEs 130.54

36 12 2. For operation of the state training school at Eldora
36 13 and for salaries, support, maintenance, and for not more than
36 14 the following full-time equivalent positions:
36 15 \$ 10,285,696
36 16 FTEs 218.53

36 17 3. During the fiscal year beginning July 1, 2003, the
36 18 population levels at the state juvenile institutions shall not
36 19 exceed the population guidelines established under 1990 Iowa
36 20 Acts, chapter 1239, section 21, as adjusted for subsequent
36 21 changes in capacity at the institutions.

36 22 4. A portion of the moneys appropriated in this section
36 23 shall be used by the state training school and by the Iowa
36 24 juvenile home for grants for adolescent pregnancy prevention
36 25 activities at the institutions in the fiscal year beginning
36 26 July 1, 2003.

36 27 5. Within the amounts appropriated in this section, the
36 28 department may transfer funds as necessary to best fulfill the
36 29 needs of the institutions provided for in the appropriation.

36 30 Sec. 18. CHILD AND FAMILY SERVICES.

36 31 1. There is appropriated from the general fund of the
36 32 state to the department of human services for the fiscal year
36 33 beginning July 1, 2003, and ending June 30, 2004, the
36 34 following amount, or so much thereof as is necessary, to be
36 35 used for the purpose designated:

37 1 For child and family services:
37 2 \$107,091,253

37 3 2. The department may transfer funds appropriated in this
37 4 section as necessary to pay the nonfederal costs of services
37 5 reimbursed under medical assistance or the family investment
37 6 program which are provided to children who would otherwise
37 7 receive services paid under the appropriation in this section.
37 8 The department may transfer funds appropriated in this section
37 9 to the appropriations in this Act for general administration

37 10 and for field operations for resources necessary to implement
37 11 and operate the services funded in this section.

37 12 3. a. Of the funds appropriated in this section, up to
37 13 \$30,154,516 is allocated as the statewide expenditure target
37 14 under section 232.143 for group foster care maintenance and
37 15 services.

37 16 b. If at any time after September 30, 2003, annualization
37 17 of a service area's current expenditures indicates a service
37 18 area is at risk of exceeding its group foster care expenditure
37 19 target under section 232.143 by more than 5 percent, the
37 20 department and juvenile court services shall examine all group
37 21 foster care placements in that service area in order to
37 22 identify those which might be appropriate for termination. In
37 23 addition, any aftercare services believed to be needed for the
37 24 children whose placements may be terminated shall be
37 25 identified. The department and juvenile court services shall
37 26 initiate action to set dispositional review hearings for the
37 27 placements identified. In such a dispositional review
37 28 hearing, the juvenile court shall determine whether needed
37 29 aftercare services are available and whether termination of
37 30 the placement is in the best interest of the child and the
37 31 community.

37 32 c. (1) Of the funds appropriated in this section, not
37 33 more than \$6,355,170 is allocated as the state match funding
37 34 for psychiatric medical institutions for children.

37 35 (2) The department may transfer all or a portion of the
38 1 amount allocated in this lettered paragraph for psychiatric
38 2 medical institutions for children (PMICs) to the appropriation
38 3 in this Act for medical assistance.

38 4 d. Of the funds allocated in this subsection, \$1,419,988
38 5 is allocated as the state match funding for 50 highly
38 6 structured juvenile program beds. If the number of beds
38 7 provided for in this lettered paragraph is not utilized, the
38 8 remaining funds allocated may be used for group foster care.

38 9 e. For the fiscal year beginning July 1, 2003, the
38 10 requirements of section 232.143 applicable to the juvenile
38 11 court and to representatives of the juvenile court shall be
38 12 applicable instead to juvenile court services and to
38 13 representatives of juvenile court services. The
38 14 representatives appointed by the department of human services
38 15 and by juvenile court services to establish the plan to
38 16 contain expenditures for children placed in group foster care
38 17 ordered by the court within the budget target allocated to the
38 18 service area shall establish the plan in a manner so as to
38 19 ensure the moneys allocated to the service area under section
38 20 232.143 shall last the entire fiscal year. Funds for a child
38 21 placed in group foster care shall be considered encumbered for
38 22 the duration of the child's projected or actual length of
38 23 stay, whichever is applicable.

38 24 4. Of the funds appropriated in this section, \$3,000,000
38 25 is allocated specifically for expenditure through the
38 26 decategorization of child welfare funding pools and governance
38 27 boards established pursuant to section 232.188.
38 28 Notwithstanding section 8.33, moneys allocated in this
38 29 subsection that remain unencumbered or unobligated at the
38 30 close of the fiscal year shall not revert but shall remain
38 31 available for expenditure for the purposes designated until
38 32 the close of the succeeding fiscal year.

38 33 5. Of the funds appropriated in this section, up to
38 34 \$915,892 is allocated for additional funding of the family
38 35 preservation program.

39 1 6. The department shall continue the goal that not more
39 2 than 15 percent of the children placed in foster care funded
39 3 under the federal Social Security Act, Title IV=E, may be
39 4 placed in foster care for a period of more than 24 months.

39 5 7. In accordance with the provisions of section 232.188,
39 6 the department shall continue the program to decategorize
39 7 child welfare services funding in additional counties or
39 8 clusters of counties.

39 9 8. A portion of the funding appropriated in this section
39 10 may be used for emergency family assistance to provide other
39 11 resources required for a family participating in a family
39 12 preservation or reunification project to stay together or to
39 13 be reunified.

39 14 9. Notwithstanding section 234.35, subsection 1, for the
39 15 fiscal year beginning July 1, 2003, state funding for shelter
39 16 care paid pursuant to section 234.35, subsection 1, paragraph
39 17 "h", shall be limited to \$6,922,509.

39 18 10. The department shall continue to make adoption
39 19 presubsidy and adoption subsidy payments to adoptive parents
39 20 at the beginning of the month for the current month.

39 21 11. Federal funds received by the state during the fiscal
39 22 year beginning July 1, 2003, as the result of the expenditure
39 23 of state funds appropriated during a previous state fiscal
39 24 year for a service or activity funded under this section, are
39 25 appropriated to the department to be used as additional
39 26 funding for services and purposes provided for under this
39 27 section. Notwithstanding section 8.33, moneys received in
39 28 accordance with this subsection that remain unencumbered or
39 29 unobligated at the close of the fiscal year shall not revert
39 30 to any fund but shall remain available for the purposes
39 31 designated until the close of the succeeding fiscal year.

39 32 12. The department and juvenile court services shall
39 33 continue to develop criteria for the department service area
39 34 administrator and chief juvenile court officer to grant
39 35 exceptions to extend eligibility, within the funds allocated,
40 1 for intensive tracking and supervision and for supervised
40 2 community treatment to delinquent youth beyond age 18 who are
40 3 subject to release from the state training school, a highly
40 4 structured juvenile program, or group foster care.

40 5 13. Of the moneys appropriated in this section, not more
40 6 than \$442,100 is allocated to provide clinical assessment
40 7 services as necessary to continue funding of children's
40 8 rehabilitation services under medical assistance in accordance
40 9 with federal law and requirements. The funding allocated is
40 10 the amount projected to be necessary for providing the
40 11 clinical assessment services.

40 12 14. Of the funding appropriated in this section,
40 13 \$3,696,285 shall be used for protective child care assistance.

40 14 15. Of the moneys appropriated in this section, up to
40 15 \$2,859,851 is allocated for the payment of the expenses of
40 16 court-ordered services provided to juveniles which are a
40 17 charge upon the state pursuant to section 232.141, subsection
40 18 4.

40 19 a. Notwithstanding section 232.141 or any other provision
40 20 of law to the contrary, the amount allocated in this
40 21 subsection shall be distributed to the judicial districts as
40 22 determined by the state court administrator. The state court
40 23 administrator shall make the determination of the distribution
40 24 amounts on or before June 15, 2003.

40 25 b. Notwithstanding chapter 232 or any other provision of
40 26 law to the contrary, a district or juvenile court shall not
40 27 order any service which is a charge upon the state pursuant to
40 28 section 232.141 if there are insufficient court-ordered
40 29 services funds available in the district court distribution
40 30 amount to pay for the service. The chief juvenile court
40 31 officer shall encourage use of the funds allocated in this
40 32 subsection such that there are sufficient funds to pay for all
40 33 court-related services during the entire year. The chief
40 34 juvenile court officers shall attempt to anticipate potential
40 35 surpluses and shortfalls in the distribution amounts and shall
41 1 cooperatively request the state court administrator to
41 2 transfer funds between the districts' distribution amounts as
41 3 prudent.

41 4 c. Notwithstanding any provision of law to the contrary, a
41 5 district or juvenile court shall not order a county to pay for
41 6 any service provided to a juvenile pursuant to an order
41 7 entered under chapter 232 which is a charge upon the state
41 8 under section 232.141, subsection 4.

41 9 d. Of the funding allocated in this subsection, not more
41 10 than \$100,000 may be used by the judicial branch for
41 11 administration of the requirements under this subsection and
41 12 for travel associated with court-ordered placements which are
41 13 a charge upon the state pursuant to section 232.141,
41 14 subsection 4.

41 15 16. a. Of the funding appropriated in this section,
41 16 \$3,062,193 is allocated to provide school-based supervision of
41 17 children adjudicated under chapter 232, including not more
41 18 than \$1,431,597 from the allocation in this section for court=
41 19 ordered services. Not more than \$15,000 of the funding
41 20 allocated in this subsection may be used for the purpose of
41 21 training.

41 22 b. A portion of the cost of each school-based liaison
41 23 officer shall be paid by the school district or other funding
41 24 source as approved by the chief juvenile court officer.

41 25 17. The department shall maximize the capacity to draw
41 26 federal funding under Title IV=E of the federal Social
41 27 Security Act.

41 28 18. Any unanticipated federal funding that is received
41 29 during the fiscal year due to improvements in the hours
41 30 counted by the judicial branch under the claiming process for
41 31 federal Title IV=E funding are appropriated to the department

41 32 to be used for additional or expanded services and support for
 41 33 court-ordered services pursuant to section 232.141.
 41 34 Notwithstanding section 8.33, moneys appropriated in this
 41 35 subsection that remain unencumbered or unobligated at the
 42 1 close of the fiscal year shall not revert but shall remain
 42 2 available for expenditure for the purposes designated until
 42 3 the close of the succeeding fiscal year.
 42 4 19. Notwithstanding section 234.39, subsection 5, and 2000
 42 5 Iowa Acts, chapter 1228, section 43, the department may
 42 6 operate a subsidized guardianship program if the United States
 42 7 department of health and human services approves a waiver
 42 8 under Title IV-E of the federal Social Security Act or the
 42 9 federal Social Security Act is amended to allow Title IV-E
 42 10 funding to be used for subsidized guardianship, and the
 42 11 subsidized guardianship program can be operated without loss
 42 12 of Title IV-E funds.
 42 13 20. It is the intent of the general assembly that the
 42 14 department continue its practice of providing strong support
 42 15 for Iowa's nationally recognized initiative of
 42 16 decategorization of child welfare funding.
 42 17 21. The department shall develop a plan for privatizing
 42 18 the administration of the foster care and adoption programs.
 42 19 The plan shall be submitted to the governor and the general
 42 20 assembly on or before December 15, 2003.
 42 21 22. Notwithstanding section 237.5A, a foster parent who is
 42 22 unable to complete six hours of foster parent training prior
 42 23 to annual licensure renewal because the foster parent is
 42 24 engaged in active duty in the military service shall be
 42 25 considered to be in compliance with the training requirement
 42 26 for annual licensure renewal.
 42 27 Sec. 19. JUVENILE DETENTION HOME FUND. Moneys deposited
 42 28 in the juvenile detention home fund created in section 232.142
 42 29 during the fiscal year beginning July 1, 2003, and ending June
 42 30 30, 2004, are appropriated to the department of human services
 42 31 for the fiscal year beginning July 1, 2003, and ending June
 42 32 30, 2004, for distribution as follows:
 42 33 1. An amount equal to ten percent of the costs of the
 42 34 establishment, improvement, operation, and maintenance of
 42 35 county or multicounty juvenile detention homes in the fiscal
 43 1 year beginning July 1, 2002. Moneys appropriated for
 43 2 distribution in accordance with this subsection shall be
 43 3 allocated among eligible detention homes, prorated on the
 43 4 basis of an eligible detention home's proportion of the costs
 43 5 of all eligible detention homes in the fiscal year beginning
 43 6 July 1, 2002. Notwithstanding section 232.142, subsection 3,
 43 7 the financial aid payable by the state under that provision
 43 8 for the fiscal year beginning July 1, 2003, shall be limited
 43 9 to the amount appropriated for the purposes of this
 43 10 subsection.
 43 11 2. For renewal of a grant to a county with a population
 43 12 between 189,000 and 196,000 for implementation of the county's
 43 13 runaway treatment plan under section 232.195:
 43 14 \$ 80,000
 43 15 3. For continuation and expansion of the community
 43 16 partnership for child protection sites:
 43 17 \$ 159,000
 43 18 4. For grants to counties implementing a runaway treatment
 43 19 plan under section 232.195.
 43 20 5. The remainder for additional allocations to county or
 43 21 multicounty juvenile detention homes, in accordance with the
 43 22 distribution requirements of subsection 1.
 43 23 Sec. 20. FAMILY SUPPORT SUBSIDY PROGRAM. There is
 43 24 appropriated from the general fund of the state to the
 43 25 department of human services for the fiscal year beginning
 43 26 July 1, 2003, and ending June 30, 2004, the following amount,
 43 27 or so much thereof as is necessary, to be used for the purpose
 43 28 designated:
 43 29 For the family support subsidy program:
 43 30 \$ 1,936,434
 43 31 1. The department may use up to \$333,312 of the moneys
 43 32 appropriated in this section to continue the children-at-home
 43 33 program in current counties, of which not more than \$20,000
 43 34 shall be used for administrative costs.
 43 35 2. Notwithstanding section 225C.38, subsection 1, the
 44 1 monthly family support payment amount for the fiscal year
 44 2 beginning July 1, 2003, shall remain the same as the payment
 44 3 amount in effect on June 30, 2003.
 44 4 Sec. 21. CONNER DECREE. There is appropriated from the
 44 5 general fund of the state to the department of human services
 44 6 for the fiscal year beginning July 1, 2003, and ending June
 44 7 30, 2004, the following amount, or so much thereof as is

44 8 necessary, to be used for the purpose designated:
 44 9 For building community capacity through the coordination
 44 10 and provision of training opportunities in accordance with the
 44 11 consent decree of Conner v. Branstad, No. 4=86=CV=30871(S.D.
 44 12 Iowa, July 14, 1994):
 44 13 \$ 42,623
 44 14 Sec. 22. MENTAL HEALTH INSTITUTES. There is appropriated
 44 15 from the general fund of the state to the department of human
 44 16 services for the fiscal year beginning July 1, 2003, and
 44 17 ending June 30, 2004, the following amounts, or so much
 44 18 thereof as is necessary, to be used for the purposes
 44 19 designated:
 44 20 1. For the state mental health institute at Cherokee for
 44 21 salaries, support, maintenance, and miscellaneous purposes and
 44 22 for not more than the following full-time equivalent
 44 23 positions:
 44 24 \$ 12,401,246
 44 25 FTEs 227.65
 44 26 2. For the state mental health institute at Clarinda for
 44 27 salaries, support, maintenance, and miscellaneous purposes and
 44 28 for not more than the following full-time equivalent
 44 29 positions:
 44 30 \$ 7,065,672
 44 31 FTEs 118.15
 44 32 3. For the state mental health institute at Independence
 44 33 for salaries, support, maintenance, and miscellaneous purposes
 44 34 and for not more than the following full-time equivalent
 44 35 positions:
 45 1 \$ 16,912,302
 45 2 FTEs 317.80
 45 3 The state mental health institute at Independence shall
 45 4 continue the 30 psychiatric medical institution for children
 45 5 (PMIC) beds authorized in section 135H.6, in a manner which
 45 6 results in no net state expenditure amount in excess of the
 45 7 amount appropriated in this subsection. Counties are not
 45 8 responsible for the costs of PMIC services described in this
 45 9 subsection. Subject to the approval of the department, with
 45 10 the exception of revenues required under section 249A.11 to be
 45 11 credited to the appropriation in this Act for medical
 45 12 assistance, revenues attributable to the PMIC beds described
 45 13 in this subsection for the fiscal year beginning July 1, 2003,
 45 14 and ending June 30, 2004, shall be deposited in the
 45 15 institute's account, including but not limited to any of the
 45 16 following revenues:
 45 17 a. The federal share of medical assistance revenue
 45 18 received under chapter 249A.
 45 19 b. Moneys received through client participation.
 45 20 c. Any other revenues directly attributable to the PMIC
 45 21 beds.
 45 22 4. For the state mental health institute at Mount Pleasant
 45 23 for salaries, support, maintenance, and miscellaneous purposes
 45 24 and for not more than the following full-time equivalent
 45 25 positions:
 45 26 \$ 5,830,810
 45 27 FTEs 100.44
 45 28 a. Funding is provided in this subsection for the state
 45 29 mental health institute at Mount Pleasant to continue the dual
 45 30 diagnosis mental health and substance abuse program on a net
 45 31 budgeting basis in which 50 percent of the actual per diem and
 45 32 ancillary services costs are chargeable to the patient's
 45 33 county of legal settlement or as a state case, as appropriate.
 45 34 Subject to the approval of the department, revenues
 45 35 attributable to the dual diagnosis program for the fiscal year
 46 1 beginning July 1, 2003, and ending June 30, 2004, shall be
 46 2 deposited in the institute's account, including but not
 46 3 limited to all of the following revenues:
 46 4 (1) Moneys received by the state from billings to counties
 46 5 under section 230.20.
 46 6 (2) Moneys received from billings to the Medicare program.
 46 7 (3) Moneys received from a managed care contractor
 46 8 providing services under contract with the department or any
 46 9 private third-party payor.
 46 10 (4) Moneys received through client participation.
 46 11 (5) Any other revenues directly attributable to the dual
 46 12 diagnosis program.
 46 13 b. The following additional provisions are applicable in
 46 14 regard to the dual diagnosis program:
 46 15 (1) A county may split the charges between the county's
 46 16 mental health, mental retardation, and developmental
 46 17 disabilities services fund and the county's budget for
 46 18 substance abuse expenditures.

46 19 (2) If an individual is committed to the custody of the
46 20 department of corrections at the time the individual is
46 21 referred for dual diagnosis treatment, the department of
46 22 corrections shall be charged for the costs of treatment.

46 23 (3) Prior to an individual's admission for dual diagnosis
46 24 treatment, the individual shall have been screened through a
46 25 county's single entry point process to determine the
46 26 appropriateness of the treatment.

46 27 (4) A county shall not be chargeable for the costs of
46 28 treatment for an individual enrolled in and authorized by or
46 29 decertified by a managed behavioral care plan under the
46 30 medical assistance program.

46 31 (5) Notwithstanding section 8.33, state mental health
46 32 institute revenues related to the dual diagnosis program that
46 33 remain unencumbered or unobligated at the close of the fiscal
46 34 year shall not revert but shall remain available up to the
46 35 amount which would allow the state mental health institute to
47 1 meet credit obligations owed to counties as a result of year=
47 2 end per diem adjustments for the dual diagnosis program.

47 3 5. Within the funds appropriated in this section, the
47 4 department may transfer funds as necessary to best fulfill the
47 5 needs of the institutes provided for in the appropriation.

47 6 6. As part of the discharge planning process at the state
47 7 mental health institutes, the department shall provide
47 8 assistance in obtaining eligibility for federal supplemental
47 9 security income (SSI) to those individuals whose care at a
47 10 state mental health institute is the financial responsibility
47 11 of the state or a county.

47 12 Sec. 23. STATE RESOURCE CENTERS. There is appropriated
47 13 from the general fund of the state to the department of human
47 14 services for the fiscal year beginning July 1, 2003, and
47 15 ending June 30, 2004, the following amounts, or so much
47 16 thereof as is necessary, to be used for the purposes
47 17 designated:

47 18 1. For the state resource center at Glenwood for salaries,
47 19 support, maintenance, and miscellaneous purposes:
47 20 \$ 4,399,479

47 21 2. For the state resource center at Woodward for salaries,
47 22 support, maintenance, and miscellaneous purposes:
47 23 \$ 2,660,237

47 24 3. a. The department shall continue operating the state
47 25 resource centers at Glenwood and Woodward with a net general
47 26 fund appropriation. The amounts allocated in this section are
47 27 the net amounts of state moneys projected to be needed for the
47 28 state resource centers. The purposes of operating with a net
47 29 general fund appropriation are to encourage the state resource
47 30 centers to operate with increased self-sufficiency, to improve
47 31 quality and efficiency, and to support collaborative efforts
47 32 between the state resource centers and counties and other
47 33 funders of services available from the state resource centers.
47 34 The state resource centers shall not be operated under the net
47 35 appropriation in a manner which results in a cost increase to
48 1 the state or cost shifting between the state, the medical
48 2 assistance program, counties, or other sources of funding for
48 3 the state resource centers. Moneys appropriated in this
48 4 section may be used throughout the fiscal year in the manner
48 5 necessary for purposes of cash flow management, and for
48 6 purposes of cash flow management the state resource centers
48 7 may temporarily draw more than the amounts appropriated,
48 8 provided the amounts appropriated are not exceeded at the
48 9 close of the fiscal year.

48 10 b. Subject to the approval of the department, except for
48 11 revenues under section 249A.11, revenues attributable to the
48 12 state resource centers for the fiscal year beginning July 1,
48 13 2003, shall be deposited into each state resource center's
48 14 account, including but not limited to all of the following:

48 15 (1) Moneys received by the state from billings to counties
48 16 under section 222.73.

48 17 (2) The federal share of medical assistance revenue
48 18 received under chapter 249A.

48 19 (3) Federal Medicare program payments.

48 20 (4) Moneys received from client financial participation.

48 21 (5) Other revenues generated from current, new, or
48 22 expanded services which the state resource center is
48 23 authorized to provide.

48 24 c. For the purposes of allocating the salary adjustment
48 25 fund moneys appropriated in another Act, the state resource
48 26 centers shall be considered to be funded entirely with state
48 27 moneys.

48 28 d. Notwithstanding section 8.33, up to \$500,000 of a state
48 29 resource center's revenues that remain unencumbered or

48 30 unobligated at the close of the fiscal year shall not revert
48 31 but shall remain available to be used in the succeeding fiscal
48 32 year.

48 33 4. Within the funds appropriated in this section, the
48 34 department may transfer funds as necessary to best fulfill the
48 35 needs of the institutions provided for in the appropriation.

49 1 5. The department may continue to bill for state resource
49 2 center services utilizing a scope of services approach used
49 3 for private providers of ICFMR services, in a manner which
49 4 does not shift costs between the medical assistance program,
49 5 counties, or other sources of funding for the state resource
49 6 centers.

49 7 6. The state resource centers may expand the time limited
49 8 assessment and respite services during the fiscal year.

49 9 7. If the department's administration and the department
49 10 of management concur with a finding by a state resource
49 11 center's superintendent that projected revenues can reasonably
49 12 be expected to pay the salary and support costs for a new
49 13 employee position, or that such costs for adding a particular
49 14 number of new positions for the fiscal year would be less than
49 15 the overtime costs if new positions would not be added, the
49 16 superintendent may add the new position or positions. If the
49 17 vacant positions available to a resource center do not include
49 18 the position classification desired to be filled, the state
49 19 resource center's superintendent may reclassify any vacant
49 20 position as necessary to fill the desired position. The
49 21 superintendents of the state resource centers may, by mutual
49 22 agreement, pool vacant positions and position classifications
49 23 during the course of the fiscal year in order to assist one
49 24 another in filling necessary positions.

49 25 8. If existing capacity limitations are reached in
49 26 operating units, a waiting list is in effect for a service or
49 27 a special need for which a payment source or other funding is
49 28 available for the service or to address the special need, and
49 29 facilities for the service or to address the special need can
49 30 be provided within the available payment source or other
49 31 funding, the superintendent of a state resource center may
49 32 authorize opening not more than two units or other facilities
49 33 and to begin implementing the service or addressing the
49 34 special need during fiscal year 2003=2004.

49 35 9. The state resource centers shall develop a proposal
50 1 providing options for addressing the service needs of persons
50 2 with developmental disabilities who behave in a manner that
50 3 presents a danger to themselves or to others. The proposal
50 4 shall be submitted to the governor and general assembly on or
50 5 before December 15, 2003.

50 6 Sec. 24. MI/MR/DD STATE CASES. There is appropriated from
50 7 the general fund of the state to the department of human
50 8 services for the fiscal year beginning July 1, 2003, and
50 9 ending June 30, 2004, the following amount, or so much thereof
50 10 as is necessary, to be used for the purpose designated:

50 11 For purchase of local services for persons with mental
50 12 illness, mental retardation, and developmental disabilities
50 13 where the client has no established county of legal
50 14 settlement:

50 15 \$ 11,014,619

50 16 The general assembly encourages the department to continue
50 17 discussions with the Iowa state association of counties and
50 18 administrators of county central point of coordination offices
50 19 regarding proposals for moving state cases to county budgets.

50 20 Sec. 25. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES ==
50 21 COMMUNITY SERVICES FUND. There is appropriated from the
50 22 general fund of the state to the mental health and
50 23 developmental disabilities community services fund created in
50 24 section 225C.7 for the fiscal year beginning July 1, 2003, and
50 25 ending June 30, 2004, the following amount, or so much thereof
50 26 as is necessary, to be used for the purpose designated:

50 27 For mental health and developmental disabilities community
50 28 services in accordance with this Act:

50 29 \$ 17,757,890

50 30 1. Of the funds appropriated in this section, \$17,727,890
50 31 shall be allocated to counties for funding of community-based
50 32 mental health and developmental disabilities services. The
50 33 moneys shall be allocated to a county as follows:

50 34 a. Fifty percent based upon the county's proportion of the
50 35 state's population of persons with an annual income which is
51 1 equal to or less than the poverty guideline established by the
51 2 federal office of management and budget.

51 3 b. Fifty percent based upon the county's proportion of the
51 4 state's general population.

51 5 2. a. A county shall utilize the funding the county

51 6 receives pursuant to subsection 1 for services provided to
51 7 persons with a disability, as defined in section 225C.2.
51 8 However, no more than 50 percent of the funding shall be used
51 9 for services provided to any one of the service populations.
51 10 b. A county shall use at least 50 percent of the funding
51 11 the county receives under subsection 1 for contemporary
51 12 services provided to persons with a disability, as described
51 13 in rules adopted by the department.
51 14 3. Of the funds appropriated in this section, \$30,000
51 15 shall be used to support the Iowa compass program providing
51 16 computerized information and referral services for Iowans with
51 17 disabilities and their families.
51 18 4. a. Funding appropriated for purposes of the federal
51 19 social services block grant is allocated for distribution to
51 20 counties for local purchase of services for persons with
51 21 mental illness or mental retardation or other developmental
51 22 disability.
51 23 b. The funds allocated in this subsection shall be
51 24 expended by counties in accordance with the county's approved
51 25 county management plan. A county without an approved county
51 26 management plan shall not receive allocated funds until the
51 27 county's management plan is approved.
51 28 c. The funds provided by this subsection shall be
51 29 allocated to each county as follows:
51 30 (1) Fifty percent based upon the county's proportion of
51 31 the state's population of persons with an annual income which
51 32 is equal to or less than the poverty guideline established by
51 33 the federal office of management and budget.
51 34 (2) Fifty percent based upon the amount provided to the
51 35 county for local purchase of services in the preceding fiscal
52 1 year.
52 2 5. A county is eligible for funds under this section if
52 3 the county qualifies for a state payment as described in
52 4 section 331.439.
52 5 Sec. 26. PERSONAL ASSISTANCE. There is appropriated from
52 6 the general fund of the state to the department of human
52 7 services for the fiscal year beginning July 1, 2003, and
52 8 ending June 30, 2004, the following amount, or so much thereof
52 9 as is necessary, to be used for the purpose designated:
52 10 For continuation of a pilot project for the personal
52 11 assistance services program in accordance with this section:
52 12 \$ 205,748
52 13 1. The funds appropriated in this section shall be used to
52 14 continue the pilot project for the personal assistance
52 15 services program under section 225C.46 in an urban and a rural
52 16 area. Not more than 10 percent of the amount appropriated
52 17 shall be used for administrative costs. The pilot project
52 18 shall not be implemented in a manner which would require
52 19 additional county or state costs for assistance provided to an
52 20 individual served under the pilot project.
52 21 2. In accordance with 2001 Iowa Acts, chapter 191, section
52 22 25, subsection 2, new applicants shall not be accepted into
52 23 the pilot project. An individual receiving services under the
52 24 pilot project as of June 30, 2003, shall continue receiving
52 25 services until the individual voluntarily leaves the project
52 26 or until another program with similar services exists.
52 27 Sec. 27. SEXUALLY VIOLENT PREDATORS.
52 28 1. There is appropriated from the general fund of the
52 29 state to the department of human services for the fiscal year
52 30 beginning July 1, 2003, and ending June 30, 2004, the
52 31 following amount, or so much thereof as is necessary, to be
52 32 used for the purpose designated:
52 33 For costs associated with the commitment and treatment of
52 34 sexually violent predators in the unit located at the state
52 35 mental health institute at Cherokee, including costs of legal
53 1 services and other associated costs, including salaries,
53 2 support, maintenance, and miscellaneous purposes and for not
53 3 more than the following full-time equivalent positions:
53 4 \$ 2,675,179
53 5 FTEs 46.00
53 6 2. Unless specifically prohibited by law, if the amount
53 7 charged provides for recoupment of at least the entire amount
53 8 of direct and indirect costs, the department of human services
53 9 may contract with other states to provide care and treatment
53 10 of persons placed by the other states at the unit for sexually
53 11 violent predators at Cherokee. The moneys received under such
53 12 a contract shall be considered to be repayment receipts and
53 13 used for the purposes of the appropriation made in this
53 14 section.
53 15 Sec. 28. FIELD OPERATIONS. There is appropriated from the
53 16 general fund of the state to the department of human services

53 17 for the fiscal year beginning July 1, 2003, and ending June
53 18 30, 2004, the following amount, or so much thereof as is
53 19 necessary, to be used for the purposes designated:
53 20 1. For field operations, including salaries, support,
53 21 maintenance, and miscellaneous purposes and for not more than
53 22 the following full-time equivalent positions:
53 23 \$ 50,657,828
53 24 FTEs 1,800.00
53 25 Priority in filling full-time equivalent positions shall be
53 26 given to those positions related to child protection services.
53 27 2. In operating the service area system established
53 28 pursuant to 2001 Iowa Acts, Second Extraordinary Session,
53 29 chapter 4, for the fiscal year beginning July 1, 2003, and
53 30 ending June 30, 2004, the department shall utilize the service
53 31 areas and service area administrators in lieu of regions and
53 32 regional administrators, notwithstanding the references to
53 33 department regions or regional administrators in sections
53 34 232.2, 232.52, 232.68, 232.72, 232.102, 232.117, 232.127,
53 35 232.143, 232.188, and 234.35, or other provision in law. The
54 1 department shall submit proposed legislation under section
54 2 2.16 for consideration by the Eightieth General Assembly, 2004
54 3 Session, to correct the references in the necessary Code
54 4 sections.
54 5 Sec. 29. GENERAL ADMINISTRATION. There is appropriated
54 6 from the general fund of the state to the department of human
54 7 services for the fiscal year beginning July 1, 2003, and
54 8 ending June 30, 2004, the following amount, or so much thereof
54 9 as is necessary, to be used for the purpose designated:
54 10 For general administration, including salaries, support,
54 11 maintenance, and miscellaneous purposes and for not more than
54 12 the following full-time equivalent positions:
54 13 \$ 10,803,626
54 14 FTEs 286.00
54 15 1. Of the funds appropriated in this section, \$57,000 is
54 16 allocated for the prevention of disabilities policy council
54 17 established in section 225B.3.
54 18 2. Up to \$500,000 of the moneys received in any settlement
54 19 of overpayments made to a child development center or to any
54 20 other provider that results in a settlement in excess of
54 21 \$150,000 shall be considered as repayment receipts and shall
54 22 only be used for the costs of filling full-time equivalent
54 23 positions authorized but not funded by the appropriations made
54 24 for the purposes of this section.
54 25 Sec. 30. VOLUNTEERS. There is appropriated from the
54 26 general fund of the state to the department of human services
54 27 for the fiscal year beginning July 1, 2003, and ending June
54 28 30, 2004, the following amount, or so much thereof as is
54 29 necessary, to be used for the purpose designated:
54 30 For development and coordination of volunteer services:
54 31 \$ 109,568
54 32 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
54 33 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
54 34 DEPARTMENT OF HUMAN SERVICES.
54 35 1. a. For the fiscal year beginning July 1, 2003, nursing
55 1 facilities shall be reimbursed at 100 percent of the modified
55 2 price-based case-mix reimbursement rate. Nursing facilities
55 3 reimbursed under the medical assistance program shall submit
55 4 annual cost reports and additional documentation as required
55 5 by rules adopted by the department.
55 6 b. For the fiscal year beginning July 1, 2003, the
55 7 department shall reimburse pharmacy dispensing fees using a
55 8 single rate of \$4.26 per prescription or the pharmacy's usual
55 9 and customary fee, whichever is lower.
55 10 c. For the fiscal year beginning July 1, 2003,
55 11 reimbursement rates for inpatient and outpatient hospital
55 12 services shall remain at the rates in effect on June 30, 2003.
55 13 The department shall continue the outpatient hospital
55 14 reimbursement system based upon ambulatory patient groups
55 15 implemented pursuant to 1994 Iowa Acts, chapter 1186, section
55 16 25, subsection 1, paragraph "f". In addition, the department
55 17 shall continue the revised medical assistance payment policy
55 18 implemented pursuant to that paragraph to provide
55 19 reimbursement for costs of screening and treatment provided in
55 20 the hospital emergency room if made pursuant to the
55 21 prospective payment methodology developed by the department
55 22 for the payment of outpatient services provided under the
55 23 medical assistance program. Any rebasing of hospital
55 24 inpatient or outpatient rates shall not increase total
55 25 payments for inpatient and outpatient services.
55 26 d. For the fiscal year beginning July 1, 2003,
55 27 reimbursement rates for rural health clinics, hospices,

55 28 independent laboratories, and acute mental hospitals shall be
55 29 increased in accordance with increases under the federal
55 30 Medicare program or as supported by their Medicare audited
55 31 costs.

55 32 e. For the fiscal year beginning July 1, 2003,
55 33 reimbursement rates for home health agencies shall remain at
55 34 the rates in effect on June 30, 2003.

55 35 f. For the fiscal year beginning July 1, 2003, federally
56 1 qualified health centers shall receive cost-based
56 2 reimbursement for 100 percent of the reasonable costs for the
56 3 provision of services to recipients of medical assistance.

56 4 g. Beginning July 1, 2003, the reimbursement rates for
56 5 dental services shall remain at the rates in effect on June
56 6 30, 2003.

56 7 h. Beginning July 1, 2003, the reimbursement rates for
56 8 community mental health centers shall remain at the rates in
56 9 effect on June 30, 2003.

56 10 i. For the fiscal year beginning July 1, 2003, the maximum
56 11 reimbursement rate for psychiatric medical institutions for
56 12 children shall remain at the rate in effect on June 30, 2003,
56 13 based on per day rates for actual costs.

56 14 j. For the fiscal year beginning July 1, 2003, unless
56 15 otherwise specified in this Act, all noninstitutional medical
56 16 assistance provider reimbursement rates shall remain at the
56 17 rates in effect on June 30, 2003, except for area education
56 18 agencies, local education agencies, infant and toddler
56 19 services providers, and those providers whose rates are
56 20 required to be determined pursuant to section 249A.20.

56 21 k. Notwithstanding section 249A.20, the average
56 22 reimbursement rates for health care providers eligible for use
56 23 of the reimbursement methodology under that section shall
56 24 remain at the rate in effect on June 30, 2003; however, this
56 25 rate shall not exceed the maximum level authorized by the
56 26 federal government.

56 27 2. For the fiscal year beginning July 1, 2003, the
56 28 reimbursement rate for residential care facilities shall not
56 29 be less than the minimum payment level as established by the
56 30 federal government to meet the federally mandated maintenance
56 31 of effort requirement. The flat reimbursement rate for
56 32 facilities electing not to file semiannual cost reports shall
56 33 not be less than the minimum payment level as established by
56 34 the federal government to meet the federally mandated
56 35 maintenance of effort requirement.

57 1 3. For the fiscal year beginning July 1, 2003, the
57 2 reimbursement rate for providers reimbursed under the in-home=
57 3 related care program shall not be less than the minimum
57 4 payment level as established by the federal government to meet
57 5 the federally mandated maintenance of effort requirement.

57 6 4. Unless otherwise directed in this section, when the
57 7 department's reimbursement methodology for any provider
57 8 reimbursed in accordance with this section includes an
57 9 inflation factor, this factor shall not exceed the amount by
57 10 which the consumer price index for all urban consumers
57 11 increased during the calendar year ending December 31, 2002.

57 12 5. Notwithstanding section 234.38, in the fiscal year
57 13 beginning July 1, 2003, the foster family basic daily
57 14 maintenance rate and the maximum adoption subsidy rate for
57 15 children ages 0 through 5 years shall be \$14.28, the rate for
57 16 children ages 6 through 11 years shall be \$15.07, the rate for
57 17 children ages 12 through 15 years shall be \$16.83, and the
57 18 rate for children ages 16 and older shall be \$16.83.

57 19 6. For the fiscal year beginning July 1, 2003, the maximum
57 20 reimbursement rates for social service providers shall remain
57 21 at the rates in effect on June 30, 2003. However, the rates
57 22 may be adjusted under any of the following circumstances:

57 23 a. If a new service was added after June 30, 2003, the
57 24 initial reimbursement rate for the service shall be based upon
57 25 actual and allowable costs.

57 26 b. If a social service provider loses a source of income
57 27 used to determine the reimbursement rate for the provider, the
57 28 provider's reimbursement rate may be adjusted to reflect the
57 29 loss of income, provided that the lost income was used to
57 30 support actual and allowable costs of a service purchased
57 31 under a purchase of service contract.

57 32 7. The group foster care reimbursement rates paid for
57 33 placement of children out of state shall be calculated
57 34 according to the same rate-setting principles as those used
57 35 for in-state providers unless the director of human services
58 1 or the director's designee determines that appropriate care
58 2 cannot be provided within the state. The payment of the daily
58 3 rate shall be based on the number of days in the calendar

58 4 month in which service is provided.

58 5 8. For the fiscal year beginning July 1, 2003, the
58 6 reimbursement rates for rehabilitative treatment and support
58 7 services providers shall remain at the rates in effect on June
58 8 30, 2003.

58 9 9. For the fiscal year beginning July 1, 2003, the
58 10 combined service and maintenance components of the
58 11 reimbursement rate paid to a shelter care provider shall be
58 12 based on the cost report submitted to the department. The
58 13 maximum reimbursement rate shall be \$83.69 per day. The
58 14 department shall reimburse a shelter care provider at the
58 15 provider's actual and allowable unit cost, plus inflation, not
58 16 to exceed the maximum reimbursement rate.

58 17 10. For the fiscal year beginning July 1, 2003, the
58 18 department shall calculate reimbursement rates for
58 19 intermediate care facilities for persons with mental
58 20 retardation at the 80th percentile.

58 21 11. For the fiscal year beginning July 1, 2003, for child
58 22 care providers, the department shall set provider
58 23 reimbursement rates based on the rate reimbursement survey
58 24 completed in December 1998. The department shall set rates in
58 25 a manner so as to provide incentives for a nonregistered
58 26 provider to become registered.

58 27 12. For the fiscal year beginning July 1, 2003,
58 28 reimbursements for providers reimbursed by the department of
58 29 human services may be modified if appropriated funding is
58 30 allocated for that purpose from the senior living trust fund
58 31 created in section 249H.4, or as specified in appropriations
58 32 from the healthy Iowans tobacco trust created in section
58 33 12.65.

58 34 13. The department may adopt emergency rules to implement
58 35 the hospital crossover claims process.

59 1 14. The department may adopt emergency rules to implement
59 2 this section.

59 3 Sec. 32. TRANSFER AUTHORITY. Subject to the provisions of
59 4 section 8.39, for the fiscal year beginning July 1, 2003, if
59 5 necessary to meet federal maintenance of effort requirements
59 6 or to transfer federal temporary assistance for needy families
59 7 block grant funding to be used for purposes of the federal
59 8 social services block grant or to meet cash flow needs
59 9 resulting from delays in receiving federal funding or to
59 10 implement, in accordance with this Act, targeted case
59 11 management for child protection and for activities currently
59 12 funded with juvenile court services, county, or community
59 13 moneys and state moneys used in combination with such moneys,
59 14 the department of human services may transfer within or
59 15 between any of the appropriations made in this Act and
59 16 appropriations in law for the federal social services block
59 17 grant to the department for the following purposes, provided
59 18 that the combined amount of state and federal temporary
59 19 assistance for needy families block grant funding for each
59 20 appropriation remains the same before and after the transfer:

59 21 1. For the family investment program.

59 22 2. For child care assistance.

59 23 3. For child and family services.

59 24 4. For field operations.

59 25 5. For general administration.

59 26 6. MH/MR/DD/BI community services (local purchase).

59 27 This section shall not be construed to prohibit existing
59 28 state transfer authority for other purposes.

59 29 Sec. 33. FRAUD AND RECOUPMENT ACTIVITIES. During the
59 30 fiscal year beginning July 1, 2003, notwithstanding the
59 31 restrictions in section 239B.14, recovered moneys generated
59 32 through fraud and recoupment activities are appropriated to
59 33 the department of human services to be used for additional
59 34 fraud and recoupment activities performed by the department of
59 35 human services or the department of inspections and appeals,
60 1 and the department of human services may add not more than
60 2 five full-time equivalent positions, in addition to those
60 3 funded in this Act, subject to both of the following
60 4 conditions:

60 5 1. The director of human services determines that the
60 6 investment can reasonably be expected to increase recovery of
60 7 assistance paid in error, due to fraudulent or nonfraudulent
60 8 actions, in excess of the amount recovered in the fiscal year
60 9 beginning July 1, 1997.

60 10 2. The amount expended for the additional fraud and
60 11 recoupment activities shall not exceed the amount of the
60 12 projected increase in assistance recovered.

60 13 Sec. 34. ELECTRONIC BENEFIT TRANSFER IMPLEMENTATION
60 14 NONREVERSION. Unspent funds appropriated in 2002 Iowa Acts,

60 15 Second Extraordinary Session, chapter 1003, section 112, and
60 16 allocated by the department of human services for the purpose
60 17 of meeting federal food stamp electronic benefit transfer
60 18 requirements shall not revert but shall remain available for
60 19 the same purpose until the close of the succeeding fiscal
60 20 year.

60 21 Sec. 35. VEHICLE DEPRECIATION. The following facilities
60 22 and institutions administered by the department of human
60 23 services are exempt from the depreciation requirement in
60 24 section 18.120, subsection 1, and the appropriations for the
60 25 facilities, institutions, and the department shall not be
60 26 charged for vehicle depreciation otherwise attributable to the
60 27 facilities and institutions during the fiscal year beginning
60 28 July 1, 2003:

- 60 29 1. The state juvenile institutions.
- 60 30 2. The state resource centers.
- 60 31 3. The state mental health institutes.
- 60 32 4. The unit for commitment of sexually violent predators
60 33 located at the state mental health institute at Cherokee.

60 34 Sec. 36. NEW SECTION. 217A.1 PARENTAL INVOLVEMENT
60 35 PROGRAM.

61 1 1. The department of human services shall convene an
61 2 advisory group that includes representatives of the Iowa
61 3 department of public health, the department of education, the
61 4 department of workforce development, the department of
61 5 corrections, the Iowa empowerment board, other state agencies
61 6 that provide services to families, and representatives of
61 7 business and industry, parents, faith-based organizations, and
61 8 state and local community leaders, to present a plan to the
61 9 general assembly that provides a comprehensive approach to
61 10 policy and service delivery at the state, county, and local
61 11 level and provides a network of services to assist both
61 12 mothers and fathers in parenting their children. While the
61 13 comprehensive approach shall address the needs of both
61 14 parents, the focus shall be on creating a policy and service
61 15 delivery system that provides a network of resources to assist
61 16 fathers in becoming and remaining engaged in their children's
61 17 lives. The plan shall be submitted on or before December 31,
61 18 2003.

61 19 2. The comprehensive approach to parental involvement
61 20 shall provide for all of the following:

61 21 a. STRUCTURE AND POLICIES.

61 22 (1) Identification of practices that interfere with or
61 23 fail to help fathers become or remain engaged in their
61 24 children's lives.

61 25 (2) Development of flexible service delivery options
61 26 within the state system, including the public assistance
61 27 system, to address the varying needs of families which may
61 28 include modifying traditional enforcement of program
61 29 requirements, referral to services, or other options.

61 30 (3) Continuation of child support program efforts to
61 31 assist fathers in providing for their children and remaining
61 32 engaged in their children's lives while complying with federal
61 33 requirements. The efforts may include continuing the
61 34 fatherhood internet site, seeking additional federal access
61 35 and visitation grants, and applying for other federal funds
62 1 that become available, for the purpose of actively engaging
62 2 fathers in the lives of their children.

62 3 (4) Integration of the state system and community level
62 4 services to provide a social service network that is
62 5 accessible to fathers as well as mothers.

62 6 (5) Creation of a systemwide approach for delivery of
62 7 services to families that creates a family support network
62 8 that does all of the following:

62 9 (a) Trains service workers to include both fathers and
62 10 mothers as a family unit, rather than separately, in the
62 11 delivery of services.

62 12 (b) Promotes a common awareness across disciplines, for
62 13 workers providing services to parents and families, of the
62 14 importance of both parents in children's lives.

62 15 (c) Systematically engages both parents and does not
62 16 segment families in the provision of services.

62 17 (d) Improves communication across delivery systems.

62 18 (e) Provides for the partnering of various disciplines and
62 19 levels of government in providing services to parents and
62 20 families.

62 21 b. CONNECTING FATHERS WITH NECESSARY SERVICES.

62 22 (1) Utilization of the existing service system to connect
62 23 fathers with local community-based services that help fathers
62 24 develop the skills to become better parents and partners and
62 25 more productive members of the workforce.

62 26 (2) Utilization of employment opportunities and training
62 27 as catalysts to involve fathers with programs that help
62 28 fathers develop skills to retain jobs and build healthy
62 29 relationships.
62 30 c. PUBLIC AWARENESS.
62 31 (1) Promotion of public awareness of the importance of the
62 32 emotional and financial involvement of both parents in their
62 33 children's lives.
62 34 (2) Use of the media to encourage parents to discuss
62 35 pregnancy prevention and parental responsibility with their
63 1 children.
63 2 Sec. 37. Section 234.35, subsection 1, paragraph c, Code
63 3 2003, is amended to read as follows:
63 4 c. When the department has agreed to provide foster care
63 5 services for the child for a period of not more than ~~thirty~~
63 6 ninety days on the basis of a signed placement agreement
63 7 between the department and the child's parent or guardian
63 8 ~~initiated on or after July 1, 1992.~~
63 9 Sec. 38. Section 514I.4, Code 2003, is amended by adding
63 10 the following new subsection:
63 11 NEW SUBSECTION. 1A. The director, with the approval of
63 12 the board, may contract with participating insurers to provide
63 13 dental only services.
63 14 Sec. 39. Section 514I.5, Code 2003, is amended by adding
63 15 the following new subsection:
63 16 NEW SUBSECTION. 9. The hawk=i board may provide approval
63 17 to the director to contract with participating insurers to
63 18 provide dental only services. In determining whether to
63 19 provide such approval to the director, the board shall take
63 20 into consideration the impact on the overall program of single
63 21 source contracting for dental services.
63 22 Sec. 40. 2002 Iowa Acts, chapter 1125, section 1,
63 23 subsection 2, paragraphs b and d, are amended to read as
63 24 follows:
63 25 b. ~~Amending rules to maintain the group care standard for~~
63 26 ~~a weekly average number of hours of therapy and counseling,~~
63 27 ~~but determine compliance by averaging the hours per week over~~
63 28 ~~the course of a month for group care documentation and~~
63 29 ~~recoupment to streamline requirements relating to skills~~
63 30 ~~development by removing the requirements for billed services~~
63 31 ~~documentation and clarifying the requirements for meeting~~
63 32 ~~weekly average hours of therapy and counseling and the~~
63 33 ~~methodology for determining compliance and overpayments. The~~
63 34 ~~recoupment for failure to comply shall be applied for a week~~
63 35 ~~at a time for noncompliance, not to exceed the number of days~~
64 1 ~~paid. This standard shall not be applied to a highly~~
64 2 ~~structured juvenile group care program.~~
64 3 d. ~~Utilizing a weekly results summary for documentation of~~
64 4 ~~the group care requirement for daily provision of skills~~
64 5 ~~development.~~
64 6 Sec. 41. 2002 Iowa Acts, chapter 1175, section 104, is
64 7 amended to read as follows:
64 8 SEC. 104. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
64 9 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ADJUSTMENT
64 10 AND ALLOCATIONS == FISCAL YEAR 2003=2004. There is
64 11 appropriated from the general fund of the state to the
64 12 department of human services for the fiscal year beginning
64 13 July 1, 2003, and ending June 30, 2004, the following amount,
64 14 or so much thereof as is necessary, to be used for the purpose
64 15 designated:
64 16 For distribution to counties of the county mental health,
64 17 mental retardation, and developmental disabilities allowed
64 18 growth factor adjustment, as provided in this section in lieu
64 19 of the provisions of section 331.438, subsection 2, and
64 20 section 331.439, subsection 3, and chapter 426B:
64 21 \$ 19,073,638
64 22 1. The funding appropriated in this section is the allowed
64 23 growth factor adjustment for fiscal year 2003=2004, and is
64 24 allocated as follows:
64 25 a. For distribution as provided in this section:
64 26 \$ 17,073,638
64 27 b. For deposit in the risk pool created in the property
64 28 tax relief fund and for distribution in accordance with
64 29 section 426B.5, subsection 2:
64 30 \$ 2,000,000
64 31 2. The following formula amounts shall be utilized only to
64 32 calculate preliminary distribution amounts for fiscal year
64 33 2003=2004 under this section by applying the indicated formula
64 34 provisions to the formula amounts and producing a preliminary
64 35 distribution total for each county:
65 1 a. For calculation of an allowed growth factor adjustment

65 2 amount for each county in accordance with the formula in
65 3 section 331.438, subsection 2, paragraph "b":
65 4 \$ 12,000,000
65 5 b. For calculation of a distribution amount for eligible
65 6 counties from the per capita expenditure target pool created
65 7 in the property tax relief fund in accordance with the
65 8 requirements in section 426B.5, subsection 1:
65 9 \$ 12,492,712
65 10 c. For calculation of a distribution amount for counties
65 11 from the mental health and developmental disabilities (MH/DD)
65 12 community services fund in accordance with the formula
65 13 provided in ~~2002 Iowa Acts, Senate File 2326, section 119,~~
~~65 14 subsection 1 the appropriation made for the MH/DD community~~
~~65 15 services fund for the fiscal year beginning July 1, 2003:~~
65 16 \$ ~~18,127,352~~
65 17 17,727,890
65 18 3. Notwithstanding any contrary provisions of sections
65 19 225C.7, 331.438, subsection 2, 331.439, subsection 3, and
65 20 426B.5, the moneys allocated for distribution in subsection 1,
65 21 paragraph "b", and in any other Act of the Eightieth General
65 22 Assembly, 2003 Session, for distribution to counties in the
65 23 fiscal year beginning July 1, 2003, for purposes of the mental
65 24 health and developmental disabilities (MH/DD) community
65 25 services fund under section 225C.7, and for the allowed growth
65 26 factor adjustment for services paid under a county's section
65 27 331.424A mental health, mental retardation, and developmental
65 28 disabilities services fund and as calculated under subsection
65 29 2 to produce preliminary distribution amounts for counties
65 30 shall be subject to withholding as provided in this section.
65 31 4. After applying the applicable statutory distribution
65 32 formulas to the amounts indicated in subsection 2 for purposes
65 33 to produce preliminary distribution totals, the department of
65 34 human services shall apply a withholding factor to adjust an
65 35 eligible individual county's preliminary distribution total.
66 1 An ending balance percentage for each county shall be
66 2 determined by expressing the county's ending balance on a
66 3 modified accrual basis under generally accepted accounting
66 4 principles for the fiscal year beginning July 1, 2002, in the
66 5 county's mental health, mental retardation, and developmental
66 6 disabilities services fund created under section 331.424A, as
66 7 a percentage of the county's gross expenditures from that fund
66 8 for that fiscal year. The withholding factor for a county
66 9 shall be the following applicable percent:
66 10 a. For an ending balance percentage of less than 10
66 11 percent, a withholding factor of 0 percent.
66 12 b. For an ending balance percentage of 10 through 24
66 13 percent, a withholding factor of 25 percent.
66 14 c. For an ending balance percentage of 25 through 34
66 15 percent, a withholding factor of 60 percent.
66 16 d. For an ending balance percentage of 35 through 44
66 17 percent, a withholding factor of 85 percent.
66 18 e. For an ending balance percentage of 45 percent or more,
66 19 a withholding factor of 100 percent.
66 20 5. The total withholding amounts applied pursuant to
66 21 subsection 4 shall be equal to a withholding target amount of
66 22 \$7,419,074 and the appropriation enacted by the Eightieth
66 23 General Assembly, 2003 Session, for the MH/DD community
66 24 services fund shall be reduced by the amount necessary to
66 25 attain the withholding target amount. If the department of
66 26 human services determines that the amount to be withheld in
66 27 accordance with subsection 4 is not equal to the target
66 28 withholding amount, the department shall adjust the
66 29 withholding factors listed in subsection 4 as necessary to
66 30 achieve the withholding target amount. However, in making
66 31 such adjustments to the withholding factors, the department
66 32 shall strive to minimize changes to the withholding factors
66 33 for those ending balance percentage ranges that are lower than
66 34 others and shall not adjust the zero withholding factor
66 35 specified in subsection 4, paragraph "a".
67 1 6. A county must comply with both the requirements listed
67 2 in this subsection to be eligible to receive a funding
67 3 distribution under this section. The amount that would
67 4 otherwise be available for distribution to a county that fails
67 5 to so comply shall be proportionately distributed among the
67 6 eligible counties. Both of the following requirements are
67 7 applicable:
67 8 a. A county must comply with the December 1, 2003, filing
67 9 deadline for the county annual financial report in accordance
67 10 with section 331.403.
67 11 b. A county must levy the not less than 70 percent of the
67 12 maximum amount allowed for the county's mental health, mental

67 13 retardation, and developmental disabilities services fund
67 14 under section 331.424A for taxes due and payable in the fiscal
67 15 year beginning July 1, 2003.

67 16 7. The department of human services shall authorize the
67 17 issuance of warrants payable to the county treasurer for the
67 18 distribution amounts due the counties eligible under this
67 19 section and notwithstanding prior practice for the MH/DD
67 20 community services fund, the warrants shall be issued in
67 21 January 2004.

67 22 Sec. 42. 2002 Iowa Acts, Second Extraordinary Session,
67 23 chapter 1003, section 126, subsection 3, paragraph d, is
67 24 amended to read as follows:

67 25 d. Notwithstanding section 8.33, ~~up to \$500,000~~ of a state
67 26 resource center's revenues that remain unencumbered or
67 27 unobligated at the close of the fiscal year shall not revert
67 28 but shall remain available to be used in the succeeding fiscal
67 29 year.

67 30 Sec. 43. 2002 Iowa Acts, Second Extraordinary Session,
67 31 chapter 1003, section 131, is amended by adding the following
67 32 new unnumbered paragraph:

67 33 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
67 34 moneys appropriated in this section that remain unencumbered
67 35 or unobligated at the close of the fiscal year shall not
68 1 revert but shall remain available until the close of the
68 2 succeeding fiscal year for the purposes designated under this
68 3 section.

68 4 Sec. 44. EMERGENCY RULES. If specifically authorized by a
68 5 provision of this Act, the department of human services or the
68 6 mental health and developmental disabilities commission may
68 7 adopt administrative rules under section 17A.4, subsection 2,
68 8 and section 17A.5, subsection 2, paragraph "b", to implement
68 9 the provisions and the rules shall become effective
68 10 immediately upon filing or on a later effective date specified
68 11 in the rules, unless the effective date is delayed by the
68 12 administrative rules review committee. Any rules adopted in
68 13 accordance with this section shall not take effect before the
68 14 rules are reviewed by the administrative rules review
68 15 committee. The delay authority provided to the administrative
68 16 rules review committee under section 17A.4, subsection 5, and
68 17 section 17A.8, subsection 9, shall be applicable to a delay
68 18 imposed under this section, notwithstanding a provision in
68 19 those sections making them inapplicable to section 17A.5,
68 20 subsection 2, paragraph "b". Any rules adopted in accordance
68 21 with the provisions of this section shall also be published as
68 22 notice of intended action as provided in section 17A.4.

68 23 Sec. 45. REPORTS.

68 24 1. Any reports or information required to be compiled and
68 25 submitted under this Act shall be submitted to the
68 26 chairpersons and ranking members of the joint appropriations
68 27 subcommittee on health and human services, the legislative
68 28 fiscal bureau, the legislative service bureau, and to the
68 29 legislative caucus staffs on or before the dates specified for
68 30 submission of the reports or information.

68 31 2. In order to reduce mailing and paper processing costs,
68 32 the department shall provide, to the extent feasible, reports,
68 33 notices, minutes, and other documents by electronic means to
68 34 those persons who have the capacity to access the documents in
68 35 that manner.

69 1 Sec. 46. LAW INAPPLICABLE FOR FISCAL YEAR 2003=2004.

69 2 1. The following provisions in Code or rule shall be
69 3 suspended for the period beginning July 1, 2003, and ending
69 4 June 30, 2004:

69 5 a. The requirements of section 239B.2A, relating to school
69 6 attendance by children participating in the family investment
69 7 program.

69 8 b. For a case permanency plan, as defined in section
69 9 232.2, the requirement for a six-month case permanency plan
69 10 review for an intact family.

69 11 c. The requirements of section 225C.42, relating to an
69 12 annual evaluation of the family support subsidy program.

69 13 2. The department may adopt emergency rules to implement
69 14 the provisions of this section.

69 15 Sec. 47. EFFECTIVE DATES. The following provisions of
69 16 this division of this Act, being deemed of immediate
69 17 importance, take effect upon enactment:

69 18 1. The provision under the appropriation for child and
69 19 family services, relating to requirements of section 232.143
69 20 for representatives of the department of human services and
69 21 juvenile court services to establish a plan for continuing
69 22 group foster care expenditures for the 2002=2003 fiscal year.

69 23 2. The provision under the appropriation for child and

69 24 family services, relating to the state court administrator
69 25 determining allocation of court-ordered services funding by
69 26 June 15, 2003.

69 27 3. The provision under the appropriation for child and
69 28 family services, relating to the requirements in section
69 29 237.5A involving a foster parent unable to complete annual
69 30 training due to being engaged in active duty in the military
69 31 service.

69 32 4. The provision relating to unspent funds for food stamp
69 33 electronic benefit transfer remaining available from the
69 34 appropriation made in 2002 Iowa Acts, Second Extraordinary
69 35 Session, chapter 1003, section 112, for the 2003=2004 fiscal
70 1 year.

70 2 5. The provisions amending 2002 Iowa Acts, Second
70 3 Extraordinary Session, chapter 1003, sections 126 and 131,
70 4 relating to nonreversion of moneys appropriated in fiscal year
70 5 2002=2003 for the state resource centers and for the sexually
70 6 violent predator program.

70 7 DIVISION IV

70 8 SENIOR LIVING TRUST FUND

70 9 Sec. 48. DEPARTMENT OF ELDER AFFAIRS. There is
70 10 appropriated from the senior living trust fund created in
70 11 section 249H.4 to the department of elder affairs for the
70 12 fiscal year beginning July 1, 2003, and ending June 30, 2004,
70 13 the following amount, or so much thereof as is necessary, to
70 14 be used for the purpose designated:

70 15 For the development and implementation of a comprehensive
70 16 senior living program, including program administration and
70 17 costs associated with implementation, salaries, support,
70 18 maintenance, and miscellaneous purposes:

70 19 \$ 7,480,814

70 20 1. It is the intent of the general assembly that the
70 21 department not transfer moneys appropriated to the department
70 22 for purposes of the assisted living program and adult day care
70 23 for the fiscal year beginning July 1, 2003.

70 24 2. Notwithstanding section 249H.7, the department of elder
70 25 affairs shall distribute up to \$300,000 of the funds
70 26 appropriated in this section in a manner that will supplement
70 27 and maximize federal funds under the federal Older Americans
70 28 Act and shall not use the amount distributed for any
70 29 administrative purposes of either the department of elder
70 30 affairs or the area agencies on aging.

70 31 Sec. 49. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
70 32 appropriated from the senior living trust fund created in
70 33 section 249H.4 to the department of inspections and appeals
70 34 for the fiscal year beginning July 1, 2003, and ending June
70 35 30, 2004, the following amount, or so much thereof as is
71 1 necessary, to be used for the purpose designated:

71 2 For the inspection and certification of assisted living
71 3 facilities and adult day care services, including program
71 4 administration and costs associated with implementation,
71 5 salaries, support, maintenance, and miscellaneous purposes and
71 6 for not more than the following full-time equivalent
71 7 positions:

71 8 \$ 800,000
71 9 FTEs 6.00

71 10 Sec. 50. DEPARTMENT OF HUMAN SERVICES. There is
71 11 appropriated from the senior living trust fund created in
71 12 section 249H.4 to the department of human services for the
71 13 fiscal year beginning July 1, 2003, and ending June 30, 2004,
71 14 the following amounts, or so much thereof as is necessary, to
71 15 be used for the purposes designated:

71 16 1. To provide grants to nursing facilities for conversion
71 17 to assisted living programs or to provide long-term care
71 18 alternatives and to provide grants to ICF/MR for conversion to
71 19 assisted living programs or home and community-based services
71 20 and to provide grants to long-term care providers for
71 21 development of long-term care alternatives:

71 22 \$ 20,000,000

71 23 Up to 25 percent of this amount may be used for development
71 24 of less restrictive community-based services with a
71 25 significant focus on reducing the numbers of persons served in
71 26 state resource centers and other intermediate care facilities
71 27 for persons with mental retardation as well as for activities
71 28 designed to facilitate the planning for or placement of such
71 29 services and persons.

71 30 2. To supplement the medical assistance appropriation,
71 31 including program administration and costs associated with
71 32 implementation, salaries, support, maintenance, and
71 33 miscellaneous purposes, and for not more than the following
71 34 full-time equivalent positions:

71 35 \$101,600,000
72 1 FTEs 5.00
72 2 3. To provide reimbursement for health care services and
72 3 rent expenses to eligible persons through the home and
72 4 community-based services waiver and the state supplementary
72 5 assistance program, including program administration and data
72 6 system costs associated with implementation, salaries,
72 7 support, maintenance, and miscellaneous purposes:
72 8 \$ 1,733,406
72 9 Participation in the rent subsidy program shall be limited
72 10 to only those persons who are at risk for nursing facility
72 11 care. The department shall adopt emergency rules to implement
72 12 this provision.
72 13 4. To implement nursing facility provider reimbursements
72 14 as provided in 2001 Iowa Acts, chapter 192, section 4,
72 15 subsection 2, paragraph "c":
72 16 \$ 29,950,000
72 17 In order to carry out the purposes of this section, the
72 18 department shall transfer funds appropriated in this section
72 19 to supplement other appropriations made to the department of
72 20 human services.
72 21 5. Notwithstanding sections 249H.4 and 249H.5, the
72 22 department of human services may use moneys from the senior
72 23 living trust fund for cash flow purposes to make payments
72 24 under the nursing facility or hospital upper payment limit
72 25 methodology. The amount of any moneys so used shall be
72 26 refunded to the senior living trust fund within the same
72 27 fiscal year and in a prompt manner.
72 28 6. Notwithstanding section 8.33, moneys committed to
72 29 grantees under contract to provide for conversion to assisted
72 30 living programs or for development of long-term care
72 31 alternatives that remain unexpended at the close of the fiscal
72 32 year shall not revert to any fund but shall remain available
72 33 for expenditure for purposes of the contract.
72 34 Sec. 51. CONVERSION GRANT PROJECTS == RULES.
72 35 1. For the fiscal year beginning July 1, 2003, and ending
73 1 June 30, 2004, the department of human services shall continue
73 2 to give greater weight in the scoring methodology to nursing
73 3 facility conversion projects that are primarily for the
73 4 renovation and remodeling of the existing nursing facility
73 5 structure and give less weight to conversion projects that are
73 6 primarily for new construction. The department of human
73 7 services shall encourage cooperative efforts between the
73 8 department of inspections and appeals, the state fire marshal,
73 9 and the grant applicant to promote the acceptance of nursing
73 10 facility conversion projects that are primarily renovation and
73 11 remodeling of the existing nursing facility structure.
73 12 2. For the fiscal year beginning July 1, 2003, and ending
73 13 June 30, 2004, the department of inspections and appeals shall
73 14 certify all assisted living programs established through
73 15 nursing facility conversion grants. The department of
73 16 inspections and appeals shall consult with conversion grant
73 17 applicants and recipients to establish and monitor occupancy
73 18 agreements and assisted living program residents shall be
73 19 allowed access to third-party payors.
73 20 DIVISION V
73 21 HOSPITAL TRUST FUND
73 22 Sec. 52. DEPARTMENT OF HUMAN SERVICES APPROPRIATION.
73 23 There is appropriated from the hospital trust fund created in
73 24 section 249I.4 to the department of human services for the
73 25 fiscal year beginning July 1, 2003, and ending June 30, 2004,
73 26 the following amount, or so much thereof as is necessary, to
73 27 be used for the purpose designated:
73 28 To supplement the medical assistance appropriation:
73 29 \$ 15,000,000
73 30 DIVISION VI
73 31 MEDICAL ASSISTANCE PROGRAM SUPPLEMENTATION
73 32 Sec. 53. MEDICAL ASSISTANCE APPROPRIATION SUPPLEMENTATION
73 33 == FISCAL YEAR 2002=2003. There is appropriated from the
73 34 following sources, to the department of human services, for
73 35 the fiscal year beginning July 1, 2002, and ending June 30,
74 1 2003, the following amounts, or so much thereof as is
74 2 necessary, to supplement the appropriations made for the
74 3 medical assistance program for that fiscal year:
74 4 1. From the general fund of the state:
74 5 \$ 41,535,000
74 6 2. From the senior living trust fund created in section
74 7 249H.4:
74 8 \$ 9,465,000
74 9 3. From the hospital trust fund created in section 249I.4:
74 10 \$ 7,000,000

74 11 Sec. 54. MEDICAL ASSISTANCE PROGRAM == REVERSION TO SENIOR
74 12 LIVING TRUST FUND FOR FY 2002=2003. Notwithstanding section
74 13 8.33, if moneys appropriated in this division for
74 14 supplementation of the medical assistance program
74 15 appropriation for the fiscal year beginning July 1, 2002, and
74 16 ending June 30, 2003, from the general fund of the state, the
74 17 senior living trust fund, and the hospital trust fund are in
74 18 excess of actual expenditures for the medical assistance
74 19 program and remain unencumbered or unobligated at the close of
74 20 the fiscal year, the excess moneys shall not revert but shall
74 21 be transferred to the senior living trust fund created in
74 22 section 249H.4.

74 23 Sec. 55. EFFECTIVE DATE. This division of this Act, being
74 24 deemed of immediate importance, takes effect upon enactment.

74 25 DIVISION VII

74 26 COMMISSION OF VETERANS AFFAIRS

74 27 Sec. 56. COMMISSION OF VETERANS AFFAIRS. There is
74 28 appropriated from the general fund of the state to the
74 29 commission of veterans affairs for the fiscal year beginning
74 30 July 1, 2003, and ending June 30, 2004, the following amounts,
74 31 or so much thereof as is necessary, to be used for the
74 32 purposes designated:

74 33 1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION

74 34 For salaries, support, maintenance, miscellaneous purposes,
74 35 including the war orphans educational aid fund established
75 1 pursuant to chapter 35, and for not more than the following
75 2 full-time equivalent positions:

75 3 \$ 288,193
75 4 FTEs 4.00

75 5 The commission of veterans affairs may use the gifts
75 6 accepted by the chairperson of the commission of veterans
75 7 affairs, or designee, and other resources available to the
75 8 commission for use at its Camp Dodge office. The commission
75 9 shall report annually to the governor and the general assembly
75 10 on monetary gifts received by the commission for the Camp
75 11 Dodge office.

75 12 2. IOWA VETERANS HOME

75 13 For salaries, support, maintenance, miscellaneous purposes,
75 14 and for not more than the following full-time equivalent
75 15 positions:

75 16 \$ 14,205,741
75 17 FTEs 843.50

75 18 a. The Iowa veterans home may use the gifts accepted by
75 19 the chairperson of the commission of veterans affairs and
75 20 other resources available to the commission for use at the
75 21 Iowa veterans home.

75 22 b. Any Iowa veterans home successor contractor shall not
75 23 consider employees of a state institution or facility to be
75 24 new employees for purposes of employee wages, health
75 25 insurance, or retirement benefits.

75 26 c. The chairpersons and ranking members of the joint
75 27 appropriations subcommittee on health and human services or
75 28 successor subcommittee shall be notified by January 15 of any
75 29 calendar year during which a request for proposals is
75 30 anticipated to be issued regarding any Iowa veterans home
75 31 contract involving employment, for purposes of providing
75 32 legislative review and oversight.

75 33 d. The Iowa veterans home shall operate with a net state
75 34 general fund appropriation. The amount appropriated in this
75 35 subsection is the net amount of state moneys projected to be
76 1 needed for the Iowa veterans home. The purposes of operating
76 2 with a net state general fund appropriation are to encourage
76 3 the Iowa veterans home to operate with increased self=
76 4 sufficiency, to improve quality and efficiency, and to support
76 5 collaborative efforts among all funders of services available
76 6 from the Iowa veterans home. Moneys appropriated in this
76 7 subsection may be used throughout the fiscal year in the
76 8 manner necessary for purposes of cash flow management, and for
76 9 purposes of cash flow management the Iowa veterans home may
76 10 temporarily draw more than the amount appropriated, provided
76 11 the amount appropriated is not exceeded at the close of the
76 12 fiscal year.

76 13 e. Revenues attributable to the Iowa veterans home for the
76 14 fiscal year beginning July 1, 2003, shall be deposited into
76 15 the Iowa veterans home account and shall be treated as
76 16 repayment receipts, including but not limited to all of the
76 17 following:

- 76 18 (1) Federal veterans administration payments.
76 19 (2) Medical assistance revenue received under chapter
76 20 249A.
76 21 (3) Federal Medicare program payments.

76 22 (4) Moneys received from client financial participation.
76 23 (5) Other revenues generated from current, new, or
76 24 expanded services which the Iowa veterans home is authorized
76 25 to provide.

76 26 f. For the purposes of allocating the salary adjustment
76 27 fund moneys appropriated in another Act, the Iowa veterans
76 28 home shall be considered to be funded entirely with state
76 29 moneys.

76 30 g. Notwithstanding section 8.33, up to \$500,000 of the
76 31 Iowa veterans home revenues that remain unencumbered or
76 32 unobligated at the close of the fiscal year shall not revert
76 33 but shall remain available to be used in the succeeding fiscal
76 34 year.

76 35 Sec. 57. 2002 Iowa Acts, Second Extraordinary Session,
77 1 chapter 1003, section 102, subsection 2, paragraph g, is
77 2 amended to read as follows:

77 3 g. Notwithstanding section 8.33, up to ~~\$500,000~~ \$1,000,000
77 4 of the Iowa veterans home revenues that remain unencumbered or
77 5 unobligated at the close of the fiscal year shall not revert
77 6 but shall remain available to be used in the succeeding fiscal
77 7 year.

77 8 Sec. 58. EFFECTIVE DATE. The section of this division of
77 9 this Act amending 2002 Iowa Acts, Second Extraordinary
77 10 Session, chapter 1003, section 102, being deemed of immediate
77 11 importance, takes effect upon enactment.

77 12 HF 667

77 13 pf/es/25